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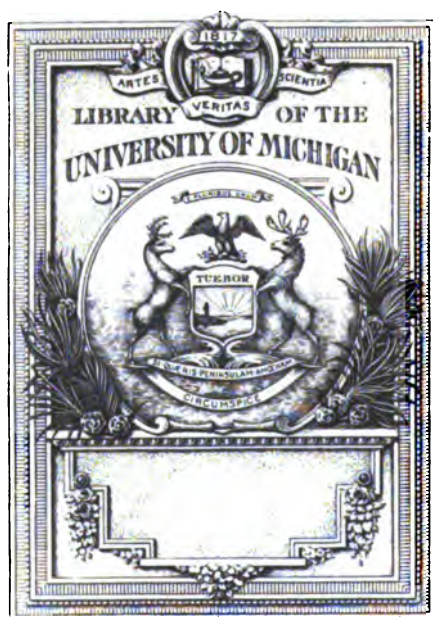
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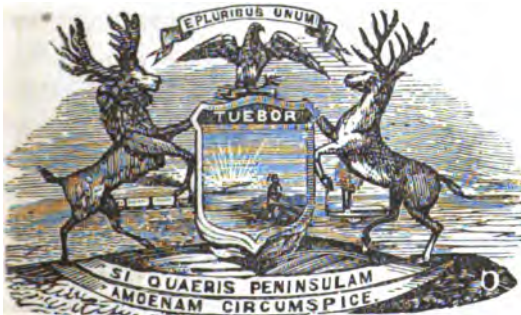
JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
OF THE  
STATE OF MICHIGAN.

1867.

Printed by virtue of an Act of the Legislature, under the Direction and Supervision of

NELSON B. JONES,

Clerk of the House of Representatives.



BY AUTHORITY.

LANSING:

JOHN A. KERR & CO., PRINTERS TO THE STATE.

1867.



# HOUSE JOURNAL.

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*Lansing, Wednesday, January 2, 1867.*

Pursuant to the requirements of the Constitution, the members elect to the House of Representatives of the Legislature of the State of Michigan, for the year 1867, assembled in the Representative Hall of the Capitol, at Lansing, on Wednesday, the 2d day of January, at 11 o'clock A. M., and were called to order by Nelson B. Jones, Clerk of the last House.

Upon examining the credentials of members, it was ascertained that the several counties were fully represented, except the first district of Lapeer county, the first district of Macomb county, Midland county, &c., second district of Shiawassee county, and the first district of Washtenaw county.

From the first district of Wayne county, Mr. Jared Patchen presented credentials in the usual form, certifying that he was duly elected as one of the members from said district.

Mr. E. C. Walker presented certain papers and affidavits of alleged illegal proceedings in the action of the Board of District Canvassers of the first District of Wayne county, and claiming that Edward C. Walker, William Warner, Thomas R. Spence, and Jefferson Wiley were duly elected by the highest number of votes, as Representatives from said district.

Mr. Boies moved to lay the credentials presented by Mr. Patchen, together with the papers presented by Mr. Walker, on the table.

Mr. Hawley demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hopkins,	Mr. Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Shepherd,
Beall,	Jewell,	Slayton,
Boies,	J. H. Jones,	L. Smith,
Bonine,	R. Jones,	R. B. Smith,
Brownell,	Kedzie,	E. Spalding,
A. S. Brown,	Kingsbury,	P. S. Spaulding,
C. R. Brown,	Lovell,	Stannard,
W. G. Brown,	Mallet,	Stevens,
Canniff,	Mason,	Storrs,
Camburn,	McOutcheon,	Sweezey,
Crossman,	Mead,	Swift,
Deane,	Mickley,	Taylor,
Dunlap,	Miles,	Tompkins,
Eck,	Murray,	Upton,
Emerson,	Newcombe,	Van Fleet,
Fellews,	L. D. Osborn,	Warner,
Funston,	W. H. Osborn,	Wells,
Gallup,	Packard,	White,
Glavin,	F. Parsons,	Wilcox,
Greenfield,	S. T. Parsons,	Willard,
Haven,	Parmalee,	Woodward,
Hill,	Randall,	Woodman,
Holt,		

73

## NAYS.

Mr. Alexander,	Mr. Grier,	Mr. Pearl,
Benedict,	Hawley,	Sexton,
Chauvin,	Healy,	Shetterly,
Corey,	McKernan,	C. O. Smith,
Dusseau,	Newell,	Wilson,
Fenton,	Parker,	Wright,

18

On motion of Mr. L. Smith,

Hon. J. J. Woodman, of Van Buren county, was chosen temporary Speaker.

On motion of Mr. Bonine,

The Speaker *pro tem.* was authorized to appoint a Sergeant-at-Arms *pro tem.*

The Speaker *pro tem.* appointed S. M. Pratt, of Berrien county, as Sergeant-at-Arms *pro tem.*

Mr. Hawley moved that a committee of two be appointed to

wait on Lieutenant Governor May, and invite him to administer the oath of office to the several members elect;

Which motion prevailed.

The Speaker *pro tem.* appointed Messrs. Hawley, of Wayne, and C. E. Mickley, of Lenawee, as such committee.

After a short absence, the committee reported Lieutenant Governor May in attendance.

The roll of the members was then called by counties and districts, when the following members answered to their names, and having subscribed and taken the oath of office, were admitted to seats as Representatives in the Legislature of the State of Michigan:

*Allegan County*—1st District, William Packard; 2d District, Thomas Shepherd.

*Barry County*—1st District, James A. Sweezey; 2d District, Richard Jones.

*Bay County*—Theophilus C. Grier.

*Berrien County*—1st District, Charles R. Brown; 2d District, John M. Glavin; 3d District, Evan J. Bonine.

*Branch County*—1st District, John H. Jones; 2d District, Julius S. Barber; 3d District, Isaac D. Beall.

*Calhoun County*—1st District, Martin Haven; 2d District, Harvey Randall; 3d District, George Willard.

*Cass County*—1st District, Henry B. Wells; 2d District, Leander D. Osborn.

*Clinton County*—1st District, Sidney U. Alexander; 2d District, Stephen Pearl.

*Eaton County*—1st District, William M. Tompkins; 2d District, Phineas S. Spaulding.

*Genesee County*—1st District, James Van Vleet; 2d District, Robert P. Aitkin; 3d District, Chandler H. Rockwood.

*Grand Traverse County, &c.*—Abijah B. Dunlap.

*Gratiot County*—Luther Smith.

*Hillsdale County*—1st District, Stephen Canniff; 2d District, Linus S. Parmalee; 3d District, Warren McCutcheon.

*Houghton County*—John Q. McKernan.

*Huron County*—Caleb H. Gallup.

*Ingham County*—1st District, Robert C. Kedzie; 2d District, Daniel L. Crossman.

*Ionia County*—1st District, Robert B. Smith; 2d District, Abiel S. Stannard.

*Jackson County*—1st District, Hiel Woodward; 2d District, Daniel Upton; 3d District, William G. Brown.

*Kalamazoo County*—1st District, Enos T. Lovell; 2d District, Anthony L. Mason; 3d District, Orville H. Fellows.

*Kent County*—1st District, Solomon O. Kingsbury; 2d District, Thomas J. Slayton; 3d District, Lyman Murray; 4th District, Edward Jewell.

*Keweenaw County*—Samuel W. Hill.

*Lapeer County*—2d District, Ellery A. Brownell.

*Lenawee County*—1st District, John K. Boies; 2d District, William H. Osborn; 3d District, Walter Robinson; 4th District, William S. Wilcox; 5th District, Charles E. Mickley.

*Livingston County*—1st District, William Ball; 2d District, Alexander H. Benedict.

*Mackinac County, &c.*—Charles B. Fenton.

*Macomb County*—2d District, Seth K. Shetterly; 3d District, Elisha F. Mead.

*Marquette County, &c.*—William P. Healy.

*Monroe County*—1st District, John J. Stevens; 2d District, Joel J. Dusseau; 3d District, Charles G. Mallet.

*Montcalm County*—Levi Camburn.

*Muskegon County*—Henry H. Holt.

*Newaygo County, &c.*—Charles W. Deane.

*Oakland County*—1st District, Jeremiah C. Wilson; 2d District, Horatio Wright; 3d District, P. Dean Warner; 4th District, Erastus Spalding.

*Ontonagon County*—Luther G. Emerson.

*Ottawa County*—1st District, Moses B. Hopkins; 2d District, Wales F. Storrs.

*Saginaw County*—1st District, William H. Faylor; 2d District, George K. Newcombe.



*Sanilac County*.—Israel Huckins.

*Shiawassee County*.—1st District, S. Titus Parsons.

*St. Clair County*.—1st District, Marcus H. Miles; 2d District, John L. Newell; 3d District, Geogre A. Funston.

*St. Joseph County*.—1st District, William R. Eck; 2d District, Orrin F. Howard; 3d District, Fayette Parsons.

*Tuscola County*.—Alson Greenfield.

*Van Buren County*.—1st District, Jonathan J. Woodman; 2d District, Amos S. Brown.

*Washtenaw County*.—2d District, Thomas White; 3d District, Jeremiah D. Corey; 4th District, Samson Parker.

*Wayne County*.—1st District, Thomas D. Hawley; 2d District, Charles B. Chauvin; 3d District, C. Clifford Smith; 4th District, George W. Swift; 5th District, Jared A. Sexton.

On motion of Mr. L. Smith,

The House took a recess until this afternoon at 2½ o'clock.

#### AFTERNOON\* SESSION.

2½ o'clock P. M.

The House met, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

Mr. J. H. Jones offered the following:

*Resolved*, That the rules of the last House of Representatives be adopted as the rules of this House, until further ordered;

Which was adopted.

On motion of Mr. L. Smith, the House proceeded to the election of Speaker, with the following result:

#### FOR P. DEAN WARNER.

Mr. Aitkin,  
Ball,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,

Mr. Hopkins,  
Howard,  
Huckins,  
Jewell,  
J. H. Jones,  
R. Jones,  
Kedzie,

Mr. Randall,  
Robinson,  
Rockwood,  
Shepherd,  
Slayton,  
L. Smith,  
R. B. Smith,

A. S. Brown,	Kingsbury,	E. Spalding,
C. R. Brown,	Lovell,	P. S. Spaulding,
W. G. Brown,	Mallet,	Stannard,
Oanniff,	Mason,	Stevens,
Camburn,	McCutcheon,	Storrs,
Crossman,	Mead,	Swezey,
Deane,	Mickley,	Swift,
Dunlap,	Miles,	Taylor,
Eck,	Murray,	Tompkins,
Emerson,	Newcombe,	Upton,
Fellows,	Newell,	Van Vleet,
Funston,	L. D. Osborn,	Wells,
Gallup,	W. H. Osborn,	White,
Glavin,	Packard,	Wilcox,
Greenfield,	F. Parsons,	Willard,
Haven,	S. T. Parsons,	Woodward,
Hill,	Parmalee,	Woodman,
Holt,		

73

## FOR JOHN Q. MCKERNAN.

Mr. Alexander,	Mr. Fenton,	Mr. Shetterly,
Benedict,	Grier,	O. C. Smith,
Chauvin,	Hawley,	Wilson,
Corey,	Healy,	Wright,
Dusseau,	Sexton,	

14

## FOR SAMSON PARKER.

Mr. McKernan,	1
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## FOR J. J. WOODMAN.

Mr. P. D. Warner,	1
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The Speaker *pro tem.* announced that Hon. P. Dean Warner, of Oakland county, having received a majority of all the votes cast, was duly elected to the office of Speaker of the House.

Mr. Mickley moved that the House do now proceed to the election of Chief Clerk;

Which motion did not prevail.

Mr. Swift moved that a committee of two be appointed to wait on the Speaker elect, and conduct him to the chair;

Which motion prevailed.

The Speaker *pro tem.* appointed Messrs. Swift and Boies as such committee.

The committee performed the duty assigned them, and the

Speaker elect, on assuming the chair, addressed the House as follows:

*Gentlemen of the House*—Having been called by your confidence and favor, to this position of eminence and responsibility, I should be unfaithful to the inspirations of my own nature if I neglected to express my gratitude and heartfelt thanks for the honor conferred on me, by your selection of a member to preside over the deliberations of the House. While I regret that I cannot bring to my aid a larger experience in public affairs, I shall rely with confidence on the cordial coöperation and generous support of each of the other members, to assist me in the discharge of the difficult and important duties devolving upon me, hoping that by courtesy, and a faithful regard for the rights and privileges of each, I may merit the confidence and approval of all.

Gentlemen, intelligent and confiding constituencies have, for the time being, committed into your hands the management and control, to a very great extent, of the social and material interests of our young and growing commonwealth. May you be enabled to devise and perfect such measures of legislation as shall be calculated to develop the resources, promote the honor, and insure the continued advancement and prosperity of the entire State.

When we last assembled in this place, as the representatives of a free people, the lurid fires of treason were burning in a thousand rebel camps, while a million of our brave "Boys in Blue" were standing as faithful sentinels on the watch-towers of freedom; but a benignant Providence has dispelled the dark clouds of contention and bloody strife, the paraphernalia and conflicts of war have passed away, and the intricate and momentous problem of "reconstruction" will be referred to you for consideration and action, as representing the wishes and "policy" of the people.

Gentlemen, trusting that all your deliberations may be harmonious, your conclusions wise and prudent, and again thank-

ing you for the honor which you have conferred upon me, I assume with diffidence the responsibilities of the Chair.

On motion of Mr. Mickley,

The House proceeded to the election of Chief Clerk, with the following result:

FOR NELSON B. JONES.

Mr. Aitkin,	Mr. Hopkins,	Mr. Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Shepherd,
Beall,	Jewell,	Slayton,
Boies,	J. H. Jones,	L. Smith,
Bonine,	R. Jones,	R. B. Smith,
Brownell,	Kedzie,	E. Spalding,
A. S. Brown,	Kingsbury,	P. S. Spaulding,
C. R. Brown,	Lovell,	Stannard,
W. G. Brown,	Mallet,	Stevens,
Canniff,	Mason,	Storrs,
Camburn,	McCutcheon,	Sweezy,
Crossman,	Mead,	Swift,
Deane,	Mickley,	Taylor,
Dunlap,	Miles,	Tompkins,
Eck,	Murray,	Upton,
Emerson,	Newcombe,	Van Vleet,
Fellows,	L. D. Osborn,	Wells,
Funston,	W. H. Osborn,	White,
Gallup,	Packard,	Wilcox,
Glavin,	F. Parsons,	Willard,
Greenfield,	S. T. Parsons,	Woodward,
Haven,	Parmalee,	Woodman,
Hill,	Pearl,	Speaker,
Holt,	Randall,	

74

FOR CHARLES W. BUTLER.

Mr. Alexander,	Mr. Hawley,	Mr. Sexton,
Corey,	Healy,	Shetterly,
Dusseau,	McKernan,	C. O. Smith,
Fenton,	Newell,	Wilson,
Grier,	Parker,	Wright,

15

FOR JOHN Q. MCKERNAN.

Mr. Benedict,	Mr. Chauvin,	2
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The Speaker announced that Nelson B. Jones, of Ingham

county, having received a majority of all the votes cast, was duly elected to the office of Chief Clerk.

On motion of Mr. Van Vleet,

The House proceeded to the election of an Engrossing and Enrolling Clerk, with the following result:

FOR WILLIAM A. HALL.

Mr. Aitkin,	Mr. Holt,	Mr. Randall,
Ball,	Hopkins,	Robinson,
Barber,	Howard,	Rockwood,
Beall,	Huckins,	Shepherd,
Benedict,	Jewell,	Slayton,
Boies,	J. H. Jones,	L. Smith,
Bonine,	R. Jones,	R. B. Smith,
Brownell,	Kedzie,	E. Spalding,
A. S. Brown,	Kingsbury,	P. S. Spaulding,
C. R. Brown,	Lovell,	Stannard,
W. G. Brown,	Mallet,	Stevens,
Canniff,	Mason,	Storrs,
Camburn,	McCutcheon,	Sweezey,
Chauvin,	Mead,	Swift,
Crossman,	Mickley,	Taylor,
Deane,	Miles,	Tompkins,
Dunlap,	Murray,	Upton,
Eck,	Newcombe,	Van Vleet,
Emerson,	L. D. Osborn,	Wells,
Fellows,	W. H. Osborn,	White,
Funston,	Packard,	Wilcox,
Gallup,	F. Parsons,	Willard,
Glavin,	S. T. Parsons,	Woodward,
Greenfield,	Parmalee,	Woodman,
Haven,	Pearl,	Speaker,
Hill,		

76

FOR HENRY STARKEY.

Mr. Alexander,	Mr. Hawley,	Mr. Sexton,
Corey,	Healy,	Shetterly,
Dusseau,	McKernan,	C. C. Smith,
Fenton,	Newell,	Wilson,
Grier,	Parker,	Wright,

15

The Speaker announced that William A. Hall, of Livingston county, having received a majority of all the votes cast, was duly elected to the office of Engrossing and Enrolling Clerk.

On motion of Mr. Wilcox,

The House proceeded to the election of Sergeant-at-Arms, with the following result:

## FOR S. M. PRATT.

Mr. Aitkin,	Mr. Hopkins,	Mr. Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Shepherd,
Beall,	Jewell,	Slayton,
Boies,	J. H. Jones,	L. Smith,
Bonine,	R. Jones,	R. B. Smith,
Brownell,	Kedzie,	E. Spalding,
A. S. Brown,	Kingsbury,	P. S. Spaulding,
C. R. Brown,	Lovell,	Stannard,
W. G. Brown,	Mallet,	Stevens,
Canniff,	Mason,	Storrs,
Camburn,	McCutcheon,	Sweezy,
Crossman,	Mead,	Swift,
Deane,	Mickley,	Taylor,
Dunlap,	Miles,	Tompkins,
Eck,	Murray,	Upton,
Emerson,	Newcombe,	Van Vleet,
Fellows,	L. D. Osborn,	Wells,
Funston,	W. H. Osborn,	White,
Gallup,	Packard,	Wilcox,
Glavin,	F. Parsons,	Willard,
Greenfield,	S. T. Parsons,	Woodward,
Haven,	Parmalee,	Woodman,
Hill,	Pearl,	Speaker,
Holt,	Randall,	

74

## FOR LUTHER PALMER.

Mr. Alexander,	Mr. Grier,	Mr. Sexton,
Benedict,	Hawley,	Shetterly,
Chauvin,	Healy,	C. C. Smith,
Corey,	McKernan,	Wilson,
Dusseau,	Newell,	Wright,
Fenton,		

16

The Speaker announced that S. M. Pratt, of Berrien county, having received a majority of all the votes cast, was duly elected to the office of Sergeant-at-Arms.

On motion of Mr. Miles,

The oath of office was administered to the Chief Clerk, En-grossing and Enrolling Clerk, and Sergeant-at-Arms elect,

and the several officers named entered upon the discharge of their duties.

Mr. S. T. Parsons announced that Hon. Charles Locke, member elect from the 2d District of Shiawassee county, was present, and desired to take his seat.

Mr. Locke came forward, presented his credentials, and after having sworn and subscribed to the constitutional oath, took his seat as a member of the Legislature of the State of Michigan.

The Sergeant-at-Arms announced a committee from the Senate.

The committee informed the House that the Senate had perfected its organization, and was now ready to proceed to business.

Mr. Hawley announced that Hon. Patrick McGinnis, member elect from the 1st District of Wayne county, was present, with his credentials, and desired to take his seat.

Mr. C. R. Brown moved that the credentials of Mr. McGinnis be received and laid on the table;

Which motion prevailed.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 2, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, By the Senate, (the House concurring,) That the joint rules of the Senate and House of Representatives, and the rules in joint convention, of the last Legislature, be and they are hereby adopted, as the rules of the present Senate and House of Representatives, until otherwise ordered;

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. Howard,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, January 2, 1867. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, By the Senate, (the House concurring,) That the State Printer be instructed to transmit to each newspaper in the State and to the Supreme and Circuit Court Judges, one copy each of the journal of the Senate and House of Representatives during the present session;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. Boies,

The House concurred in the adoption of the resolution.

Mr. Woodman moved that a committee of two be appointed to wait on the Senate and inform that body that the House is now organized, and ready to proceed to business;

Which motion prevailed.

The Speaker appointed Messrs. Woodman, Mead and Shetlerly as such committee.

Mr. Van Vleet offered the following:

*Resolved*, That the Clerk of this House be instructed to furnish each member with a copy of the manual of the last session of the Legislature;



Which was adopted.

Mr. Boies offered the following:

*Resolved*, That a committee of three be appointed to wait upon the resident clergy of Lansing, and invite them to officiate, alternately, as Chaplain of this House during its session;

Which was adopted.

The Speaker appointed Messrs. Boies, Willard and Dunlap as such committee.

Mr. Hawley offered the following:

*Resolved*, That the Clerk is hereby authorized and directed to procure 1,000 copies of the Journal, to be equally distributed among the members and officers of this House;

Which was adopted.

Mr. Mickley offered the following:

*Resolved*, That a committee of three be appointed on the part of the House, to act with a like committee on the part of the Senate, to wait on the Governor, and inform him that the two Houses are now organized, and ready to receive any communication that he may be pleased to make;

Which was adopted.

The Speaker appointed as such committee, Messrs. Mickley, Aitkin and Fenton.

The committee appointed to wait on the Senate and inform that body that the House is organized and ready to proceed to business, reported that they had performed the duty assigned them, and were discharged.

On motion of Mr. L. Smith,

The credentials and papers relating to the contested seats from the First District of Wayne county were taken from the table.

Mr. White moved that the credentials and papers be referred to a select committee of five, with power to send for persons and papers;

Which motion prevailed.

The Speaker appointed as such committee, Messrs. White, S. T. Parsons, Woodman, Hawley and Wright.

Mr. Miles offered the following:

*Resolved*, That the Sergeant-at-Arms be and he is hereby authorized to appoint one Assistant Sergeant-at-Arms, one Fireman, and one Assistant Fireman, at the rate of three dollars per day for the time actually employed.

Mr. J. H. Jones moved to amend the resolution in such a manner as to authorize the Sergeant-at-Arms to appoint an Assistant, and the Speaker to appoint a Fireman and Assistant Fireman;

Which was agreed to.

The resolution, as amended, was then adopted.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 2, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That a committee of two on the part of the Senate be appointed to act with a like committee on the part of the House, to wait upon the Governor and inform him that the two Houses are organized and ready to receive any communication that he may be pleased to make;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully

THOS. H. GLENN,  
*Secretary of the Senate.*

On motion of Mr. Van Vleet,

The resolution was laid on the table.

Mr. Miles offered the following:

*Resolved*, That the Speaker of this House be and he is hereby authorized to appoint eight messenger boys, at the rate of two dollars and fifty cents per day for each day actually employed;

Mr. Woodman moved to amend the resolution by striking out the words "and fifty cents;"

Which was accepted.

Mr. Swift moved to further amend the resolution by striking out "eight," and inserting "six" in lieu thereof;

Which amendment was also accepted.

The resolution, as amended, was then adopted.

The committee appointed by the House, to act with a like committee on the part of the Senate, to wait upon the Governor, and inform him that the two Houses are now organized and ready to receive any communication he may be pleased to make, reported that they had performed the duty assigned them, and that the Governor would communicate in person, with the two Houses, in joint convention, at 10 o'clock to-morrow morning.

The committee were discharged.

Mr. J. H. Jones offered the following:

*Resolved*, That the Speaker and Clerk be each authorized to appoint a special messenger;

Which was adopted.

Mr. Boies offered the following:

*Resolved*, That the Clerk of this House, and the Enrolling and Engrossing Clerk, be each of them authorized and empowered to appoint an Assistant during this session.

Mr. L. Smith moved to amend the resolution so as to authorize the Chief Clerk to appoint two Assistants;

Which was accepted.

The resolution, as amended, was then adopted.

On motion of Mr. Mickley,

The House adjourned until to-morrow morning at 9½ o'clock.

*Lansing, Thursday, January 3, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. C. C. McIntire.

Roll called: quorum present.

The Speaker announced the following appointments:

*Firemen*—W. D. Burnham and D. C. Church, of Ingham county.

The Speaker also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Jan. 3, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I have this day appointed Chauncey Strong, of Kalamazoo, Assistant Clerk, pursuant to a resolution of the House.

N. B. JONES,  
*Clerk.*

The Speaker also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 3, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I have this day appointed Abernethy G. Andrews, messenger, pursuant to a resolution of the House.

N. B. JONES,  
*Clerk.*

Mr. Taylor announced that Hon. James K. Lockwood, member elect from Midland county, was present and desired to take his seat.

Mr. Brownell announced that Hon. Jared H. Emery, member elect from the 1st District of Lapeer county, was present and desired to take his seat.

Mr. White announced that Hon. John S. Jenness, member elect from the 1st District of Washtenaw county, was present and desired to take his seat.

Messrs. Lockwood, Emery and Jenness severally came forward, and having subscribed and taken the constitutional oath

of office, took their seats as members of the Legislature of the State of Michigan.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, January 2, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, By the Senate, (the House concurring, ) That, the two Houses meet in joint convention, to hear his Excellency the Governor's message, to-morrow, at 10 o'clock A. M.;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

On motion of Mr. Van Vleet,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, Jan. 3, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the committees on printing, of the Senate and House of Representatives, be and they are hereby instructed to prepare and cause to be published, for the use of the Senate and House of Representatives of this and the next Legislature, a Manual, containing the rules of the Senate and House of Representatives, joint rules, Constitution of the United States and of this State, a diagram of the Senate Chamber and Representatives' Hall, and such other statistical matter as is usually contained in such a work.

And that before printing such Manual, the committee shall report in regard to the style and matter of the work;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. Hopkins,

The House concurred in the adoption of the resolution.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. L. Smith offered the following:

*Resolved*, That each of the members of this House be allowed five dollars for stationery, and that the committee on supplies be requested to furnish the Speaker, Clerk, Enrolling and Engrossing clerk, and the chairmen of standing and select committees, with such stationery as may be necessary for their use

Which was adopted.

Mr. Randall offered the following:

*Resolved*, That in the appointment of Messengers, the Speaker is hereby requested not to appoint the sons of members of either House, or any of the State officers.

On motion of Mr. Woodman,

The resolution was laid on the table.

Mr. L. Smith offered the following:

*Resolved*, (the Senate concurring,) That Seward G. Jones, of Ingham county, be and he is hereby appointed postmaster of the Senate and House, to receive and distribute all mail belonging to members of the Senate and House, at a compensation of three dollars per day.

Laid on the table for one day, under the rules.

Mr. Fenton gave notice that on some future day he would ask leave to introduce

Joint resolution to protect the fisheries of the State in the Upper Peninsula.

Mr. White, chairman of the special committee on the contested seats from Wayne county, asked and obtained the unanimous consent of the House, to submit the following report:

*To the House of Representatives of the State of Michigan:*

The undersigned, Special Committee, to whom was referred the petition of William Warner, Thomas R. Spence, Edward C. Walker and Jefferson Wiley, to be admitted to seats in this House, from the First District of the county of Wayne, and the certificates of election of Jared Patchin, Francis St. Aubin, Minot T. Lane and Patrick McGinnis, from said First District of Wayne county, respectfully report:

That said First District of Wayne county, consists of the ten wards of the city of Detroit. That if all the votes given for Representatives in the said ten wards, as returned to the County Canvassers, were counted, the claimants to said seats would have been elected over the vote of Patrick McGinnis, who has the highest number of votes of those holding the certificates of election, by the following majorities, viz: Edward C. Walker, by 157 majority; Thomas R. Spence, by 133 majority; William Warner, by 130 majority, and Jefferson Wiley, by 124 majority. This committee reports, that the County Board of Canvassers of Wayne, appointed a committee to compare the poll lists of the several towns and wards of said county with the returns on file in the Clerk's office. That said committee reported to said Board, that in the fifth and sixth wards of the city of Detroit, there was an excess of votes in the returns over the number of votes, as appeared from the poll lists, of four votes in one case, and eight votes in another. That thereupon, the Board, by a resolution, rejected the whole vote of the fifth and sixth wards. That no showing whatever was made to said Board of Canvassers, as to what particular candidates were affected by the apparent excess of votes, and the said Board refused to examine into that matter. That the Board of District Canvassers adopted the action of the Board of County Canvassers, and rejected the entire vote of the said fifth and sixth wards, and declared the four persons holding

the certificates to be legally elected to the House of Representatives of the State of Michigan.

That satisfactory evidence has been submitted to your committee, that there was no actual excess of votes in the said wards above the number appearing on the poll lists. That the apparent excess was caused by mistakes in tallying and counting, and was confined to certain State officers. That there was no such apparent excess of votes for Representatives to the Legislature.

Your committee are of the opinion that the Board of Canvassers exceeded their jurisdiction, and committed a gross outrage upon the voters, in undertaking to compare the poll lists with the returns, and that there was no error in the votes for Representative in the fifth and sixth wards, and that the petitioners should be admitted to their seats. Your committee would therefore report the following resolution, and recommend its adoption:

*Resolved*, That the Clerk be instructed to enter the names of William Warner, Thomas R. Spence, Jefferson Wiley and Edward C. Walker, on the roll of the House, and that the oath of office be administered to them.

Your committee would further report that Mr. Patrick McGinnis claims that he was duly elected Representative by a majority of all the votes cast in the First District of Wayne county, but that there was an error in the count as to his vote, yet having furnished no evidence of said error; therefore,

*Resolved*, That Mr. McGinnis have the same right to present the proofs of his claim that he would have had if the certificates of election had not been awarded to the above named gentlemen.

Your committee respectfully ask to be discharged from the further consideration of the subject.

THOMAS WHITE,  
S. TITUS PARSONS,  
J. J. WOODMAN.



Report accepted, and leave was granted the minority of the committee to report.

The minority of the committee submitted the following report:

*To the House of Representatives:*

The undersigned, members of the special committee appointed to report on the four contested seats of the 1st District of Wayne county, beg leave to make the following report: It appears that the Board of Canvassers for the 1st District of Wayne county gave certificates of election to the four Democratic candidates, and that the four Republican candidates who contest these seats do so on the ground that the action of the Canvassers was wrong, as they had refused to count the returns of the 5th and 6th Wards in the city of Detroit. We are of the opinion that the Canvassers honestly believed that in the returns of these wards there were errors of such magnitude as to materially affect the result of the election, and that in consequence of such errors, it was their duty to reject the returns of those wards, but as none of the four Democrats, who received certificates of election, claim seats simply on the ground of the action of the Canvassers, it is unnecessary for us to discuss the legality of their action. Of the four Democrats, two, Messrs. St. Aubin and Lane, have not claimed their seats at all, and one, Mr. Patchin, does not claim to have received the votes of the people sufficiently to elect him, unless the four Republican claimants should be refused seats, and in the case of these three gentlemen we do not recommend that they be admitted. In the case of the fourth gentleman, who received his certificate of election, the Hon. Patrick McGinnis, we believe he is entitled to his seat. He has appeared before your committee, has given his testimony and produced papers which lead us to believe that in counting the votes cast for him in the 5th Ward of the city of Detroit, the inspectors made a mistake, and that in reality he received a much greater number of votes than were returned to the District Canvassers, and that were this mistake rectified, it would be found that

Mr. McGinnis was duly elected. We therefore, in the committee, requested that as we had been appointed with power to send for persons and papers, that we have the votes cast in the 5th Ward for Mr. McGinnis recounted, that justice might be done, but the majority of the committee refused to do this. Mr. McGinnis having also the certificate of election from the proper authorities, it is entirely opposed to parliamentary law, justice and equity we believe, to refuse to admit him in the first place, and to admit an opponent, who has no certificate of election, and concerning whom there is undoubted reasons to believe that he was not lawfully elected. *To say the least, it is an exceedingly novel and strange proceeding to make the party who received his certificate of election, contest the seat of the party who received no certificate.* In the cases of three of the Republican claimants, Messrs. Spence, Warner and Wiley, we see no reason why they should not be admitted.

In the case of Mr. Edward C. Walker, we believe that he is disqualified by a provision of the State constitution from holding the office of Representative, and that all votes cast for him were void. Article 4, section 6, of the State constitution reads as follows:

"No person holding any office *under* the United States, or *this State*, or any county office, except Notaries Public, officers of the militia, and officers elected by townships, shall be eligible to, or have a seat in either House of the Legislature; and all votes given for any such person shall be void."

At the last election, when Mr. Walker ran as a candidate for Representative in the State Legislature, he was a member of the Board of Regents of the University of Michigan at that time, and is at the present time, having been duly elected by the people of the State at large. In this case the question is simply, is Mr. Walker holding the office of Regent of the University of Michigan, under this State, or not? If he is, then he is clearly disqualified, and the votes cast for him are void, and he is not entitled to a seat in this House. If he is not, then we inquire, under what

State does he hold his office of Regent of the University of Michigan?

In view of the above facts we therefore offer the following resolution:

*Resolved*, That the Hon. Patrick McGinnis is duly entitled to his seat in this House, as member of the 1st District of Wayne county.

All of which is respectfully submitted.

THOMAS D. HAWLEY,  
HORATIO WRIGHT.

Report accepted.

Mr. L. Smith moved that the resolutions accompanying the report of the majority of the committee be adopted.

Mr. Hawley moved the adoption of the resolution accompanying the minority report of the committee, as a substitute for the motion.

Mr. L. Smith demanded the yeas and nays;

The demand was seconded, and the motion of Mr. Hawley was not agreed to, by yeas and nays, as follows:

#### YEAS.

Mr. Alexander,	Mr. Fenton,	Mr. Parker,	
Benedict,	Grier,	Sexton,	
W. G. Brown,	Hawley,	Shetterly,	
Chauvin,	Healy,	C. C. Smith,	
Corey,	McKernan,	Wilson,	
Dusseau,	Newell,	Wright,	18

#### NAYS.

Mr. Aitkin,	Mr. Howard,	Mr. Randall,
Ball,	Huckins,	Robinson,
Barber,	Jenness,	Rockwood,
Beall,	Jewell,	Shepherd,
Boies,	J. H. Jones,	Slayton,
Bonine,	R. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
C. R. Brown,	Lockwood,	P. S. Spaulding,
Canniff,	Lovell,	Stannard,
Camburn,	Mallet,	Stevens,
Crossman,	Mason,	Storrs,
Beane,	McCutcheon,	Sweezey,

Dunlap,	Mead,	Swift,
Eck,	Mickley,	Taylor,
Emerson,	Miles,	Tompkins,
Emery,	Murray,	Upton,
Fellows,	Newcombe,	Van Vleet,
Funston,	L. D. Osborn,	Wells,
Gallup,	W. H. Osborn,	White,
Glavin,	Packard,	Wilcox,
Greenfield,	F. Parsons,	Willard,
Haven,	S. T. Parsons,	Woodward,
Hill,	Parmalee,	Woodman,
Holt,	Pearl,	Speaker,
Hopkins,		

76

The question recurring upon the motion of Mr. L. Smith, to adopt the resolutions accompanying the majority report,

Mr. Hawley called for a division of the question, that the vote might be taken on the case of Mr. E. C. Walker, separately;

Mr. Hawley demanded the yeas and nays.

The demand was seconded, and the resolutions were adopted, as far relates to Mr. Walker, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Howard,	Mr. Randall,
Ball,	Huckins,	Robinson,
Barber,	Jenness,	Rockwood,
Beall,	Jewell,	Shepherd,
Boies,	J. H. Jones,	Slayton,
Bonine,	R. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
C. R. Brown,	Locke,	P. S. Spaulding,
Canniff,	Lockwood,	Stannard,
Camburn,	Lovell,	Stevens,
Crossman,	Mallet,	Storrs,
Deane,	Mason,	Sweezey,
Dunlap,	McCutcheon,	Swift,
Eck,	Mead,	Taylor,
Emerson,	Mickley,	Tompkins,
Emery,	Miles,	Upton,
Fellows,	Murray,	Van Vleet,
Funston,	Newcombe,	Wells,
Gallup,	L. D. Osborn,	White,
Glavin,	W. H. Osborn,	Wilcox,
Greenfield,	Packard,	Willard,

Haven,  
Hill,  
Holt,  
Hopkins,

F. Parsons,  
S. T. Parsons,  
Parmalee,  
Pearl,

Woodward,  
Woodman,  
Speaker,

77

## YEAS.

Mr. Alexander,  
Benedict,  
W. G. Brown,  
Chauvin,  
Corey,  
Dusseau,

Mr. Fenton,  
Grier,  
Hawley,  
Healy,  
McKernan,  
Newell,

Mr. Parker,  
Sexton.  
Shetterly,  
C C. Smith,  
Wilson,  
Wright,

18

The balance of the resolutions were then adopted, admitting Messrs. William Warner, Thomas R. Spence and Jefferson Wiley to their seats.

The hour of 10 o'clock having arrived, Mr. Boies moved that a committee of three be appointed to wait on the Senate, and inform that body that the House is prepared to meet them in joint convention;

Which motion prevailed.

The Speaker appointed Messrs Boies, Mead and Fenton, as such committee.

Mr. Mead announced that Hon. Peter Schars, member elect from the First District of Macomb county, was present, and desired to take his seat.

Mr. Schars came forward, and also Messrs. William Warner, Edward C. Walker, Thomas R. Spence and Jefferson Wiley, members elect from the First District of Wayne county, and having severally subscribed to and taken the constitutional oath, took their seats as members of the Legislature of the State of Michigan.

Mr. Hawley asked the unanimous consent of the House to offer the following resolution:

*Resolved*, That 500 copies of the majority and minority reports (with the accompanying documents) of the special committee appointed to report on contested seats from Wayne, be printed for the use of members of this House.

Objected to by Mr. J. H. Jones.

The committee appointed to wait on the Senate and inform

that body that the House is now prepared to meet them in joint convention, reported that they had performed the duty assigned them, and were discharged.

The Sergeant-at-Arms announced the Honorable the Senate, who were conducted to seats.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the Hon. Dwight May, Lieutenant Governor and President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of the members were present.

The roll of the House was called by the Clerk thereof, and a quorum of the members were present.

The President of the Senate announced that the joint convention had assembled for the purpose of receiving the message of his Excellency the Governor.

The message, owing to the indisposition of the Governor, was read by the Governor's Private Secretary, Thomas J. Cobb, Esq.;

After which,

On motion of Senator Collier,

The joint convention adjourned *sine die*.

THOS. H. GLENN,

*Secretary of the Senate,*

N. B. JONES,

*Clerk of the House of Representatives,*

*and Secretaries of the Joint Convention.*

The Senators having retired, the House was called to order by the Speaker.

Roll called: quorum present.

On motion of Mr. White,

The House adjourned until to-morrow morning, at 10 o'clock.

*Lansing, Friday, January 4, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. C. S. Armstrong.

Roll called: quorum present.

The Speaker announced the following appointments:

MESSENGERS FOR THE HOUSE.

Claude Martin, of Washtenaw county.

Freddie C. Dibble, of Saginaw county.

Daniel Upton, of Jackson county.

Frank W. Disbrow, of Shiawassee county.

Joseph H. Boothroyd, of Ingham county.

Frank D. Spaulding, of Oakland county.

MESSENGER FOR THE SPEAKER.

Charles Avery, of Lenawee county.

The Speaker announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Jan. 3, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I have this day appointed H. H. Seaver, of Lenawee county, Assistant Sergeant-at-Arms, pursuant to a resolution of the House.

S. M. PRATT,

*Sergeant-at-Arms.*

REPORTS OF SELECT COMMITTEES.

By the special committee to wait on the resident clergy of Lansing:

The committee appointed to wait upon the resident clergy of Lansing, and invite them to officiate, alternately, as Chaplain of this House, during its session, would respectfully report that they have performed that duty, and that the clergy have made arrangements to comply with the invitation of the House. Your committee ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

## COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

SECRETARY OF STATE'S OFFICE, }  
Lansing, January 3, 1867. }

*To the Legislature of the State of Michigan:*

GENTLEMEN—In compliance with joint resolution No. 7, session laws 1865, I have the honor to report the following as the result of the vote on the question of a general revision of the Constitution of the State of Michigan, at the general election held November 6, 1866:

The whole number of votes given for and against a revision of the Constitution was one hundred and eight thousand one hundred and twenty-eight, of which seventy-nine thousand five hundred and five were cast "for a revision of the Constitution;" and twenty-eight thousand six hundred and twenty-three were cast "against a revision of the Constitution."

Very respectfully,

O. L. SPAULDING,

*Secretary of State.*

The communication was laid on the table.

## MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, January 8, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved, By the Senate, (the House concurring,) That Seward G. Jones be appointed Postmaster of the Senate and House of Representatives during the present session;*

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*



Mr. Bonine moved that the House concur in the adoption of the resolution.

Mr. L. Smith moved to amend the resolution by adding thereto the following: "At a compensation not exceeding three dollars per day;"

Which was agreed to.

The motion of Mr. Bonine, to concur in the adoption of the resolution, was then agreed to.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. C. R. Brown gave notice that on some future day he would ask leave to introduce

A bill to provide for the ascertaining and giving notice of the title of the lands of the heirs of deceased persons.

Mr. Woodward offered the following:

*Resolved*, That until further ordered, the daily sessions of this House shall commence at 10 o'clock A. M.;

Which was adopted.

Mr. L. Smith offered the following:

*Resolved*, That the members of the House are hereby requested to furnish the Clerk of the House the names of the several newspapers published in their respective districts, and the places of their location, to enable him to comply with the resolution heretofore adopted;

Which was adopted.

Mr. Hopkins offered the following:

*Resolved*, That a committee of three be appointed by the Speaker, to report the number of copies of the Governor's message needed for the use of the members of this House;

Which was adopted.

Mr. Van Vleet offered the following:

*Resolved*, That a special committee of five be appointed by the Chair, to designate and recommend a reference to the proper standing committees, of the subjects embraced in the message of the Governor, and all other subject matters which may come before the House.

Mr. Woodman moved to amend the resolution by striking out all after the word "Governor;"

Which was accepted.

The resolution, as thus amended,\*was then adopted.

Mr. Wilcox gave notice that on some future day he would ask leave to introduce

A bill to exempt disabled soldiers and sailors from highway labor, and the payment of a capitation or poll tax.

Mr. Shetterly gave notice that on some future day he would ask leave to introduce

A bill for the registration and return of births, marriages and deaths.

Mr. Grier gave notice that on some future day he would ask leave to introduce

A bill to amend certain sections of an act entitled an act to repeal chapter one hundred and twenty-two, of the revised statutes of eighteen hundred and forty-six, and the amendments thereto, and provide for the collection of damages against water craft, approved February fifth, eighteen hundred and sixty-four;

Also,

A bill to amend sections forty-seven hundred and forty-three, forty-seven hundred and sixty-one, forty-seven hundred and sixty-three, forty-seven hundred and sixty-four, forty-seven hundred and seventy-three, and forty-seven hundred and seventy-five of the compiled laws, relating to proceedings against debtors by attachment;

Also,

A bill to amend sections thirty-six hundred and seventy, and thirty-six hundred and eighty-five of the compiled laws, relative to attachments in courts of justices of the peace.

Mr. Newcombe gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved March 15, 1861, by adding thereto a new section;

Also,

A bill to provide for laying out and altering highways on the lines between cities, townships and villages.

Mr. Willard offered the following:

*Resolved*, That the use of the Hall of the House of Representatives be allowed to the Rev. T. Atkinson, to-morrow evening, for the purpose of presenting the cause of the National Orphan Homestead for the orphaned children of soldiers fallen in the late war;

Which was adopted.

Mr. L. Smith gave notice that on some future day he would ask leave to introduce .

A bill to authorize any of the townships or corporations in the counties of Saginaw, Gratiot and Clinton, to vote a tax to aid in the construction of a plank road in said counties;

Also,

A bill to legalize a re-survey of a portion of the village plat of St. Louis, and to authorize the recording of the same.

Mr. J. H. Jones offered the following:

*Resolved*, That the Clerk is hereby authorized and directed to furnish 500 additional copies of the daily journal, to be equally distributed among the members and officers of this House, until further ordered;

Which was adopted.

Mr. Woodman offered the following:

*Resolved*, That rule 40 of the House be amended by striking out after the word "agriculture," the words "on manufactures;" and inserting, after the word "agriculture," the words, "a committee on manufactures;"

Which was adopted.

Mr. Swezey offered the following:

*Resolved*, That rule 40 of the House be amended by adding thereto a committee on "religious and benevolent societies," a committee on "insurance," and a committee on "railroads"—the last to consist of seven members.

Mr. Van Vleet called for a division of the question, that the vote might be taken on each committee separately.

On motion of Mr. Boies,

The resolution was laid on the table.

Mr. C. R. Brown gave notice that on some future day he would ask leave to introduce

A bill to change the name of Alice M. Powell to Alice M. Parsons.

Mr. Huckins gave notice that on some future day he would ask leave to introduce

A bill to increase the powers and duties of the sheriff of Sanilac county.

Mr. C. R. Brown gave notice that on some future day he would ask leave to introduce

A bill to change the name of Addison Hampton to Addison Pengelley.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

Joint resolution asking the general government for a grant of land to aid in the construction of the Mineral Range railway.

Mr. Emerson gave notice that on some future day he would ask leave to introduce

A bill to legalize the proceedings of the board of highway commissioners of Rockland township, Ontonagon county, in the assessment and collection of the highway tax of said township for the year 1866.

Mr. S. T. Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend sections one and nine, of chapter 139, of the revised statutes of 1846, being sections 5850 and 5858 of the compiled laws, touching the limitations of actions relating to real property, as amended by act No. 227, of the session laws of 1863.

Mr. J. H. Jones gave notice that on some future day he would ask leave to introduce

A bill increasing the compensation of supervisors and other township officers.

Mr. Woodman offered the following:

*Resolved*, That the Speaker be instructed to appoint a suitable person to take charge of the cloak room of the House, at a salary not to exceed two dollars for each day of actual service;

Which was adopted.

Mr. Benedict gave notice that on some future day he would ask leave to introduce

A bill to change the name of Calvin Moon to Calvin Lockwood.

Mr. Holt gave notice that on some future day he would ask leave to introduce

A bill to correct and legalize the tax roll of the township of Ravenna, Muskegon county, for the year 1866, and to extend the time for the collection of said tax roll.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill authorizing fractional school district No. 17, of Ann Arbor and Scio, Washtenaw county, to raise money to build a school-house.

Mr. Kedzie gave notice that on some future day he would ask leave to introduce

A bill to incorporate the Central Michigan Agricultural Society.

• Mr. Gallup offered the following:

*Resolved*, That a standing committee on lumber interests be appointed, to consist of five members, and that rule No. 40 be amended to that effect;

Which was adopted.

Mr. White offered the following:

*Resolved*, That 500 copies of the majority and minority reports (with accompanying documents) of the special committee appointed to report on the contested seats from the first district of Wayne, be printed for the use of the members of the House.

Mr. Hawley demanded the yeas and nays on the adoption of the resolution.

The demand was seconded, and the resolution was not adopted, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,	Mr. Healy,	Mr. Spence,
Benedict,	Hopkins,	Tompkins,
W. G. Brown,	J. H. Jones,	Walker,
Chauvin,	McKernan,	Warner,
Corey,	Newell,	White,
Dusseau,	Parker,	Wiley,
Fenton,	Sexton,	Wilson,
Gallup,	Shetterly,	Woodman,
Grier,	C. C. Smith,	Wright,
Hawley,	P. S. Spaulding,	

29

## NAYS.

Mr. Aitkin,	Mr. Howard,	Mr. Parmelee,
Ball,	Huckins,	Pearl,
Barber,	Jenness,	Robinson,
Beall,	Jewell,	Rockwood,
Boies,	R. Jones,	Shars,
Bonine,	Kedzie,	Shepherd,
Brownell,	Kingsbury,	Slayton,
A. S. Brown,	Locke,	L. Smith,
C. R. Brown,	Lockwood,	R. B. Smith,
Canniff,	Lovell,	E. Spalding,
Camburn,	Mallet,	Stannard,
Crossman,	Mason,	Stevens,
Deane,	McCutcheon,	Storrs,
Dunlap,	Mead,	Sweezey,
Eck,	Mickley,	Swift,
Emerson,	Miles,	Taylor,
Emery,	Murray,	Upton,
Fellows,	Newcombe,	Van Vleet,
Funston,	L. D. Osborn,	Wells,
Glavin,	W. H. Osborn,	Wilcox,
Greenfield,	Packard,	Willard,
Haven,	F. Parsons,	Woodward,
Hill,	S. T. Parsons,	Speaker,
Holt,		

70

Mr. Hawley offered the following:

*Resolved*, That the keeper of the cloak room be instructed to have the hooks in the cloak room plainly numbered, and that

when so numbered, members are requested to select books with the corresponding number to their postoffice box;

Which was adopted.

Mr. Boies gave notice that on some future day he would ask leave to introduce

A bill to revise the charter of the village of Hudson.

Mr. S. T. Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend sections 11 and 13, chapter 150, of the revised statutes of 1846, being sections 5647 and 5649 of the compiled laws.

Mr. C. R. Brown gave notice that on some future day he would ask leave to introduce

A bill authorizing the trustees of the first society of the Methodist Episcopal church of the village of Saint Joseph, Berrien county, to borrow money and mortgage their lot as security for the same.

Mr. Benedict offered the following:

*Resolved*, That for the saving of time and labor, and the early dispatch of business, the House hold their sessions from 10 A. M. to 12½ P. M., each day, for the next succeeding two weeks from this date.

Mr. L. Smith moved to amend the resolution by striking out all after the word "day," and adding the words "until further ordered."

On motion of Mr. Woodman,

The resolution was laid on the table.

The Speaker announced the appointment of the following special committees:

*Committee on Printing the Governor's Message*—Messrs. Hopkins, Aitkin and Wiley.

*Committee on the Apportionment of the Message*—Messrs. Van Vleet, Warner, Mickley, Woodman and Shetterly.

Mr. Holt gave notice that on some future day he would ask leave to introduce

A bill to amend section 2445 of the compiled laws, being chapter relating to public lands.

Mr. Deane gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Pentwater.

Mr. Jewell offered the following:

*Resolved*, That the Clerk of this House be authorized to procure a sufficient number of Farmer's township map of Michigan, so that each member and officer may have a copy;

Which was adopted.

UNFINISHED BUSINESS,

Being the consideration of the following concurrent resolution:

*Resolved*, (The Senate concurring,) That Seward G. Jones, of Ingham county, be and he is hereby appointed postmaster of the Senate and House, to receive and distribute all mail belonging to members of the Senate and House, at a compensation of three dollars per day.

On motion of Mr. L. Smith,

The resolution was laid on the table.

On motion of W. H. Osborn,

The House adjourned until to-morrow morning at ten o'clock.

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*Lansing, Saturday, January 5, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Straub.

Roll called: quorum present.

Absent at roll call without leave, Messrs. Alexander, S. T. Parsons, Spence, Wilcox and Wiley.

Mr. Wells asked and obtained leave of absence for Mr. Alexander, until Monday.

Mr. Van Vleet asked and obtained leave of absence for Mr. S. T. Parsons, until Tuesday.



Mr. Walker asked and obtained leave of absence for Mr. Spence, until Tuesday, on account of sickness.

Mr. Boies asked and obtained leave of absence for Mr. Wilcox until Tuesday.

Mr. Warner asked and obtained leave of absence for Mr. Wiley, until Tuesday.

The constitutional oath of office was administered to Mr. H. H. Seaver, Assistant Sergeant-at-Arms, and Mr. Chauncey Strong, Assistant Clerk, who then entered upon the discharge of their respective duties.

#### REPORTS OF SELECT COMMITTEES.

By the majority of the committee on printing the Governor's message:

The special committee, appointed by order of the House, to ascertain and report the number of copies of the Governor's message that are needed for the use of the members and officers of this House, respectfully report that they have had the same under consideration, and have directed me to report that, as near as they can ascertain and determine, five thousand copies of the message in the English language will be sufficient to supply the members and officers of this House.

The committee further report that they have given the subject of printing the message in other than the English language, their serious consideration. The majority desire me respectfully to report, that though it is doubtless true, that by being printed in foreign languages, the message would reach many who would otherwise be unable to read it, nevertheless, as it would be necessary to print it in many languages in order that all foreigners should receive impartial treatment at our hands, respectfully report the majority do not recommend the printing of the message in any but the English language.

MOSES B. HOPKINS,

*Chairman.*

Report accepted.

The minority of the same committee submitted the following report:

The undersigned, minority of the foregoing committee, respectfully reports, that he dissents from the majority report in regard to printing the Governor's message in other than the English language, and submits the following minority report in relation to said subject:

There are in the county of Ottawa, from twelve to fifteen hundred Hollanders who are voters, and several hundred in each of the counties of Allegan, Kent and Muskegon, and the number of them is rapidly increasing. They are industrious, frugal and enterprising citizens, and have contributed materially to the population and wealth of our State, and to the development of its resources.

They were among our most patriotic citizens during the late fearful struggle against treason and rebellion, and many of them volunteered, in some instances entire companies, to fill up the ranks of our gallant Michigan regiments; and while they are intelligent, and educated in their vernacular language, a small per centage, only, can read in the English language. They are anxious to become familiar with our institutions and laws, and the resources of our State. We have also several thousands of equally valuable and patriotic German citizens, scattered over the State, many of whom cannot read in the English language. I respectfully submit, that it is but justice to them to have the message printed in the Holland and German languages, and that the substantial benefits to the State, resulting therefrom, will more than overbalance the expense of the same.

I therefore offer an amendment to the majority report, that one thousand five hundred copies of the Governor's message be printed by the publishers of the DeGrendwet, of Holland, Ottawa county, at an expense not exceeding that of publishing the same number in English, adding thirty per cent. for the translation from English to Holland; and a like number in the German language, by the publishers of some German paper, if

the same can be printed at the same expense, in addition to those recommended to be printed in the English language.

MOSES B. HOPKINS.

Report accepted.

Mr. Hawley moved the adoption of the recommendations contained in the minority report.

Mr. Miles moved to amend the recommendations of the minority of the committee, by striking out "a like number in the German language," and inserting in lieu thereof, "2,500 copies in the German language;"

Which was not agreed to.

Mr. Dunlap moved to amend, by adding to the report, "also 1,000 copies in the Bohemian language, and 1,000 copies in the Chippewa language;"

Which was not agreed to.

Mr. White moved to amend by striking out all which pertained to paying any additional allowance for the messages in the foreign languages.

Mr. C. R. Brown moved as a substitute for the motion, to amend by striking out all pertaining to the publication of the message in foreign languages, and inserting in lieu thereof, a provision offering to publishers of foreign newspapers in the State, a compensation of fifty cents per one thousand ems for publishing the message in their respective papers.

Mr. White moved to indefinitely postpone the whole subject; Which motion was withdrawn.

Pending the amendments of Mr. White and Mr. C. R. Brown, On motion of Mr. Boies,

The reports were laid on the table.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, January 4, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

- Resolved*, By the Senate, (the House concurring,) That the State Printer be instructed to transmit to each of the State officers one copy of the journal of the Senate and House of Representatives, during the present session;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Woodman moved to amend the resolution by inserting after the word "officers," the words "and County Clerks."

Mr. Huckins moved to amend further, by adding the words "and Township Clerks;"

Which was not agreed to.

Mr. Hawley moved to further amend, by adding the words "and aldermen of each ward in cities;"

Which was withdrawn.

Mr. Ball moved to amend further, by adding the words "and directors of each school district;"

Which was also withdrawn.

The question recurring on the amendment proposed by Mr. Woodman,

It was adopted.

The resolution, as amended, was then concurred in.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Swift,

The vote was reconsidered by which the resolution was lost, to print the reports and documents pertaining to the contested seats from the first district of Wayne county;

The resolution was then adopted.

Mr. Sweezey gave notice that on some future day he would ask leave to introduce

A bill to revise the charter of the village of Hastings.

Mr. Wilson gave notice that on some future day he would ask leave to introduce

A bill to repeal section 28 of the act to authorize the business of banking, approved Feb. 16th, 1857, authorizing the appointment of bank note registers.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to amend an act to provide for the connection of the Duncan, Alpena and Sauble River State road, with the East Saginaw and Sauble River State road, being act number 236, of session laws of 1865.

Mr. W. H. Osborn gave notice than on some future day he would ask leave to introduce

A bill to alter certain streets in the village of Tecumseh, Lenawee county.

Mr. Bonine gave notice that on some future day he would ask leave to introduce

A bill to enlarge the incorporate limits of the city of Niles, in the county of Berrien; .

Also,

A bill to amend the charter of the city of Niles.

Mr. Newell gave notice that on some future day he would ask leave to introduce

A bill to regulate the hours of labor.

Mr. Willard gave notice that on some future day he would ask leave to introduce

A bill to authorize the city of Battle Creek to borrow money for city purposes, and to issue its bonds for the payment of the same.

Mr. Warner gave notice that on some future day he would ask leave to introduce

A bill to confirm the title of the Jackson, Lansing & Saginaw Railroad company to the property, rights and franchises acquired by it of the Amboy, Lansing & Traverse Bay Railroad Company.

Mr. Mead gave notice that on some future day he would ask leave to introduce

A bill to amend section 1282 of the compiled laws, relating to limited partnerships.

Mr. Kingsbury gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the recovery of taxes paid on real estate by persons claiming title thereto in certain cases, approved March 29, 1865.

Mr. Hill gave notice that on some future day he would ask leave to introduce

Joint resolution authorizing the Governor to carry out the provisions of the joint resolution of Congress, approved July 5, 1862, relating to the Marquette & Wisconsin State Line Railroad.

Mr. Emerson gave notice that on some future day he would ask leave to introduce

Joint resolution asking the General Government for an appropriation, in money, for the improvement of the harbor at the mouth of the Ontonagon river.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to provide for the organization of congregations of Disciples, otherwise denominated Christians.

Mr. Wells gave notice that on some future day he would ask leave to introduce

A bill to authorize townships to compensate persons for loss of sheep killed by dogs.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to substitute town, instead of county commissioners, under the ditch law of the State.

Mr. J. H. Jones gave notice that on some future day he would ask leave to introduce

A bill to amend section 1103 of the compiled laws, relative to the powers and duties of commissioners of highways.

Mr. Van Vleet gave notice that on some future day he would ask leave to introduce

A bill to amend section 98, of chapter 78, of the compiled laws, relative to the duties of township clerks.

Mr. Newcombe gave notice that on some future day he would ask leave to introduce

A bill to encourage direct immigration.

Also,

A bill to authorize the incorporation of missionary, and other benevolent societies.

Mr. Hill gave notice that on some future day he would ask leave to introduce

A bill to amend section one, (1,) of act No. 177, of session laws of 1863, entitled an act to remit the specific tax upon mining, manufacturing, smelting and other companies of the Upper Peninsula, to the counties in which they arise for a period of five years, and to provide for the application of the same.

Mr. E. Spalding gave notice that on some future day he would ask leave to introduce

A bill to enlarge the limits of the city of Pontiac, and also to amend the charter of the same.

Mr. Gallup offered the following:

*Whereas*, The Hon. Arnold Kaichen, Register of the United States Land Office, for the Detroit District, has been for some time engaged in gathering statistics of the resources of, and inducements to immigration in, the new counties of said district; therefore,

*Resolved*, By the House, (the Senate concurring,) That he be most respectfully requested to furnish for the use of the Senate and House, a report of the result of such labor.

*Resolved*, That the Clerk of the House be instructed to forward him a copy of the foregoing preamble and resolution, upon their passage.

Laid on the table for one day, under the rules.

Mr. Sweezey moved to take from the table the following resolution:

*Resolved*, That rule 40 of the House be amended by adding

thereto a committee on "religious and benevolent societies," a committee on "insurance," and a committee on "railroads," the last to consist of seven members;

Which motion prevailed.

Mr. Van Vleet having called for a division of the question, that the vote might be taken on each committee separately,

The question was first taken as to the amendment adding to the standing committees a committee on "religious and benevolent societies;"

Which was adopted.

The question was then taken on that portion of the amendment adding also a committee on "insurance;"

Which was adopted.

The question then being on that portion adding a committee on "railroads," to consist of seven members,

Mr. Fellows demanded the yeas and nays.

The demand was seconded, and the amendment was not adopted, by yeas and nays, as follows:

#### YEAS.

Mr. Benedict,	Mr. Mead,	Mr. R. B. Smith,
Corey,	Murray,	P. S. Spaulding,
Dusseau,	Newcombe,	Stannard,
Grier,	L. D. Osborn,	Sweezey,
Hopkins,	Packard,	Swift,
Jewell,	Parker,	Taylor,
Kedzie,	Sexton,	Tompkins,
Kingsbury,	Shepherd,	Walker,
Locke,	Slayton,	Wells,
Lockwood,	C. C. Smith,	Woodward, 30

#### NAYS.

Mr. Aitkin,	Mr. Gallup,	Mr. W. H. Osborn,
Ball,	Glavin,	F. Parsons,
Barber,	Greenfield,	Parmelee,
Beall,	Haven,	Pearl,
Boies,	Hawley,	Randall,
Bonine,	Healy,	Robinson,
Brownell,	Hill,	Rockwood,
A. S. Brown,	Holt,	Shetterly,
O. R. Brown,	Howard,	L. Smith,
W. G. Brown,	Huckins,	E. Spalding,



Canniff,	Jenness,	Stevens,
Camburn,	J. H. Jones,	Storrs,
Chauvin,	R. Jones,	Upton,
Crossman,	Lovell,	Van Vleet,
Dunlap,	Mallet,	Warner,
Eck,	Mason,	White,
Emerson,	McCutcheon,	Willard,
Emery,	McKernan,	Wilson,
Fellows,	Mickley,	Woodman,
Fenton,	Miles,	Wright,
Funston,	Newell,	Speaker, 63

Mr. Boies moved that the committee on internal improvements consist of seven members, and that rule 40 of the House be amended to that effect;

Which was adopted.

Mr. Fenton offered the following:

*Resolved*, That the 40th rule be amended by adding a standing committee on fisheries, to be composed of five members;

Which was withdrawn.

On motion of Mr. L. Smith,

The House adjourned until Monday morning, at 10 o'clock.

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*Lansing, Monday, January 7, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Spencer.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Emerson and L. Smith.

Mr. McKernan asked and obtained leave of absence for Mr. Emerson, until Thursday.

Mr. Taylor asked and obtained leave of absence for Mr. L. Smith, for an indefinite time.

The Speaker announced the appointment of Benjamin Arnold to take charge of the cloak room, pursuant to a resolution of the House.

The Speaker announced the appointment of the following

## STANDING COMMITTEES OF THE HOUSE.

*Ways and Means*—Messrs. Wilcox, Warner, Woodman, Tompkins, Fenton.

*State Affairs*—Messrs. Woodman, White, Miles, R. B. Smith, Hawley.

*Judiciary*—Messrs. Walker, S. T. Parsons, Mead, Sweezey, Grier.

*Internal Improvements*—Messrs. Van Vleet, Warner, Kedzie, Upton, Ball, Lovell, C. R. Brown.

*Harbors*—Messrs. Emerson, Packard, Lockwood, Eck, Chauvin.

*Elections*—Messrs. S. T. Parsons, Hopkins, Deane, Miles, Sexton.

*Federal Relations*—Messrs. Mickley, Mead, Hopkins, Spence, Wilson.

*Banks and Incorporations*—Messrs. Boies, Sweezey, Barber, Slayton, Shetterly.

*Public Lands*—Messrs. Taylor, Dunlap, Greenfield, A. S. Brown, McKernan.

*Printing*—Messrs. Aitkin, L. Smith, Shepherd, Huckins, Corey.

*Agriculture*—Messrs. Fellows, Rockwood, Randall, Schar, Wright.

*Towns and Counties*—Messrs. Ball, Emery, Wells, Hill, P. S. Spaulding.

*Education*—Messrs. Willard, Kedzie, Parmelee, Newcombe, McKernan.

*Rules and Joint Rules*—Messrs. Mead, Crossman, Beall, Mallet, Alexander.

*Engrossment and Enrollment*—Messrs. Upton, Swift, Haven, Locke, Newell.

*Roads and Bridges*—Messrs. L. Smith, Howard, Camburn, Funston, Storrs.

*Asylum for the Insane*—Messrs. Bonine, Boies, Woodman, E. Spalding, C. C. Smith.

*Asylum for the Deaf, Dumb and Blind*—Messrs. White, Willard, L. D. Osborn, McCutcheon, W. H. Osborn.

*Geological Survey*—Messrs. Sweezey, Spence, Jewell, W. H. Osborn, McCutcheon.

*Military Affairs*—Messrs. Deane, Newcombe, Huckins, Robinson, Healy.

*Salines*—Messrs. Newcombe, Kingsbury, Aitkin, Holt, Pearl.

*Manufactures*—Messrs. Warner, R. B. Smith, Wiley, Murray, Canniff.

*State Prison*—Messrs. J. H. Jones, Mason, F. Parsons, Robinson, Wilson.

*Mines and Minerals*—Messrs. Hill, Emerson, Stevens, Glavin, McKernan.

*Fisheries*—Messrs. Fenton, Emerson, Taylor, Packard, Dussseau.

*Bounties*—Messrs. C. R. Brown, Brownell, Jenness, Jewell, Parker.

*Insurance*—Messrs. Kingsbury, Jenness, Wilcox, Wiley, W. G. Brown.

*Lumber Interests*—Messrs. Gallup, Holt, Lockwood, L. Smith, A. S. Brown.

*Religious and Benevolent Societies*—Messrs. Parmelee, Slayton, Gallup, Dunlap, Pearl.

*Supplies and Expenditures*—Messrs. Woodward, Howard, Benedict.

*State Library*—Messrs. Swift, R. Jones, Stannard.

*Indian Affairs*—Messrs. Dunlap, Camburn, Healey.

*Reform School*—Messrs. Kedzie, Willard, Canniff.

The Speaker announced the following:

SAVINGS' FUND INSTITUTE,  
Detroit, January 4, 1867. }

To the Hon. Speaker of the House of Representatives, Lansing:

SIR—By direction of the board of trustees of this office, I

have the honor to transmit herewith, a statement of its condition on 31st December last.

Very respectfully,

Your obedient servant,

A. H. ADAMS, *Cashier.*

*Condition of the Detroit Savings' Fund Institute, Dec. 31, 1866:*

LIABILITIES.

To depositors.....	\$889,211 73	
" excess of means.....	69,892 46	
	<hr/>	\$959,104 19

MEANS.

Bills discounted.....	\$284,467 93	
Mortgages, (lands in city of Detroit, and Wayne county,).....	183,724 46	
Bonds, United States,..	\$60,600 00	
" State of Michigan..	48,500 00	
Bonds county of Wayne, ,	19,600 00	
" city of Detroit.....	8,800 00	
" city of New York..	4,700 00	
" State of Missouri...	1,610 00	
" Det. & Mil. R. R. Co.,	1,427 50	
	<hr/>	\$145,237 50
Office furniture and safe.....	1,034 67	
	<hr/>	\$614,766 12

CASH.

On deposit in New York and Boston, \$	70,592 39	
" hand .....	278,845 68	
	<hr/>	344,338 07
		<hr/>
		\$959,104 19

The communication was laid on the table.

PRESENTATION OF PETITIONS.

By Mr. Sweezy: petition of William Congdon, praying to be admitted to the seat now occupied by Chas. B. Chauvin, from the Second Representative District of Wayne county.

Referred to the committee on elections.

By Mr. White: petition of taxable inhabitants of fractional school district No. 17, of the townships of Ann Arbor and Scio, Washtenaw county, asking for authority to raise moneys to build a school-house in said district.

Referred to the committee on towns and counties.

By Mr. Rockwood: petition of Charles L. Cole and 48 others, to amend the highway laws relative to the duties of overseers in certain instances.

Referred to the committee on roads and bridges.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Miles offered the following:

*Resolved*, That there be printed and furnished the members and officers of this House, two thousand copies of the Governor's message in English, two thousand in German, and one thousand in Holland; provided, that the expense of translating and publishing the same in German and Holland, shall not exceed twenty per cent. above the cost of a like number in English. And, provided further, that the German and Holland editions of the message, be furnished this House within twenty days from and after the passage of this resolution.

Mr. Taylor moved to amend the resolution by striking out the words "two thousand copies of the Governor's message in English," and inserting in lieu thereof, "five thousand copies of the Governor's message in English;"

Which motion did not prevail.

Mr. Holt moved to amend by striking out the words "twenty days," and inserting "thirty days," in lieu thereof;

Which motion prevailed.

Mr. Jenness moved to amend by striking out the words "two thousand in German," and inserting in lieu thereof "one thousand in German;"

Which was withdrawn.

Mr. Boies moved to so amend the resolution as to provide for printing 3,000 copies of the message in the English language;

Which was agreed to.

The resolution, as amended, was then adopted.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to provide for the appointment of Immigrant Agents by the several counties of this State, and to provide for their compensation by bounties on actual settlers, to be paid jointly by the State and Counties.

Mr. Wilson offered the following:

*Resolved*, That three hundred copies of a list of the Standing Committees of the Senate and House, and Joint committees of the two Houses, be ordered printed for the use of the House;

Which was adopted.

Mr. Taylor gave notice that on some future day he would ask leave to introduce

A bill to provide for the laying out and establishing of a State road from the township of Chesaning to the township of Spalding all in the county of Saginaw, and to appropriate swamp lands to aid in the construction of the same.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to repeal sections 24 and 25, of chapter 68, of the compiled laws, in reference to devices and legacies to charitable institutions.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to amend section 5649 of the compiled laws, relative to fees of constables in civil cases.

Mr. Grier gave notice that on some future day he would ask leave to introduce

A bill to amend section three thousand one hundred and nineteen of the compiled laws, so that equitable estates and equitable interests in lands shall be subject to sale on execution.

Mr. A. S. Brown gave notice that on some future day he, would ask leave to introduce

A bill to alter the boundaries of school district No. one, in the township of Columbia, Van Buren county.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to provide for the drainage of swamps, marshes and other low lands, approved March 15, 1861, by adding thereto a new section.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to authorize fractional school district No. 17, of the townships of Ann Arbor and Scio, in the county of Washtenaw, to borrow money to build a school house.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill to amend section 1982 of the compiled laws, relative to limited partnerships.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and altering highways, on the line between townships, cities, and villages.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to amend certain sections of an act, entitled "an act to repeal chapter one hundred and twenty-two, of the revised statutes of eighteen hundred and forty-six, and the amendments thereto, and provide for the collection of demands against water craft, approved February fifth, eighteen hundred and sixty-four.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Ball gave notice that on some future day he would ask leave to introduce

A bill to amend section ten (10) of act number one hundred and eighty-eight, of session laws of 1861, entitled an act to re-organize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture.

Mr. Brownell gave notice that on some future day he would ask leave to introduce

A bill to reconstruct the northern boundary of Lapeer county.

Mr. Hill gave notice that on some future day he would ask leave to introduce

Joint resolution asking the Government of the United States to make a grant of land to aid in deepening the channel between Lake Superior and the waters known as Eagle Harbor, in the county of Keweenaw.

Mr. Willard gave notice that on some future day he would ask leave to introduce

A bill to amend section sixty-three of an act entitled "an act to incorporate the city of Battle Creek," approved February 8d, 1859, relating to the powers of the common council to levy and collect taxes.

Mr. Boies gave notice that on some future day he would ask leave to introduce

A bill to authorize school district No. 8, in the township of Hudson, in the county of Lenawee, to issue bonds.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to enlarge the limits of the village of Galesburg.

#### UNFINISHED BUSINESS,

Being the consideration of the following resolution:

*Whereas*, The Hon. Archibald Kaichen, Register of the United States Land Office, for the Detroit District, has been for some time engaged in gathering statistics of the resources of, and



inducements to immigration in, the new counties of said district; therefore,

*Resolved*, By the House, (the Senate concurring,) That he be most respectfully requested to furnish for the use of the Senate and House, a report of the result of such labor.

*Resolved*, That the Clerk of the House be instructed to forward him a copy of the foregoing preamble and resolution upon their passage.

The resolution was adopted.

On motion of Mr. Hawley,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, January 8, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. McIntire.

Roll called: quorum present.

On motion of Mr. S. T. Parsons,

The reading of the journal was dispensed with until otherwise ordered.

The Speaker announced the following:

*To the Honorable Senate and House of Representatives of the State of Michigan:*

The undersigned, appointed and authorized by concurrent resolution No. 10, session laws 1865, "to enlarge the Hall of the House of Representatives, and to make other repairs, and furnish in part the said House of Representatives," submits the following report:

The amount of the appropriation under said resolution, amounting to the sum of five thousand dollars, has been exhausted in the enlargement and completion of the building, and there is due to parties furnishing carpets and furniture for the Senate Chamber and House of Representatives, the further sum of two thousand seven hundred and seventy-five 9-100 dollars, for the payment of which no provision has been made. I would therefore ask your Honorable body if,

upon the examination of the vouchers of the expenditures thus made the sums are found correct, you will make the necessary appropriation to meet the same.

JAMES B. PORTER,

*Late Secretary of State.*

The communication was referred to the committee on ways and means.

PRESENTATION OF PETITIONS.

By Mr. Ball: petition of F. Grisson and others, asking the Legislature to legalize the action of the township of Hamburg, Livingston county, in voting aid to railroad.

Referred to the committee on internal improvements.

By Mr. Taylor: petition of M. B. Deland, supervisor, and 21 others, to legalize the tax roll of the township of Spalding, in Saginaw county.

Referred to the committee on ways and means.

By Mr. Mickley: petition of Rufus Baker and 40 others, citizens of Fairfield, in Lenawee county, praying the passage of a law to prevent the adulteration of milk.

Referred to the committee on State affairs.

By Mr. Howard: petition of A. R. Hunt, Wm. Arney, and ninety-eight others, of the township of Fabius, St. Joseph county, for an act authorizing said township to pay a bounty of one hundred dollars (\$100) to each person who may have been drafted and held to service on the last call of the President of the United States for troops, and credited to said township since Feb. 4th, 1865.

Referred to the committee on bounties.

By Mr. Deane: petition of 86 residents of the towns of Bridgton and Fremont, Newaygo county, asking for a division of said towns, and the organization of a new township.

Referred to the committee on towns and counties.

By Mr. S. T. Parsons: petition of H. G. Thomas and 70 others, freeholders of the township of New Haven, in the county of Shiawassee, praying for the repeal of act No. 354, of the session laws of 1865.

Referred to the committee on the judiciary.

By Mr. Fellows: petition of Orrin Snow, Philip Buckhout, George A. Goodridge, Albert Latta, and 76 others, of the township of Oshtemo, in Kalamazoo county, asking the Legislature to legalize their action, in borrowing money to pay bounty.

Referred to the committee on bounties.

By Mr. Holt: memorial of the township board of the township of Ravenna, Muskegon county, praying for the correcting and legalizing of the tax roll of said township, for the year 1866, and for extending the time for the collection of the same.

Referred to the committee on ways and means.

By Mr. Dunlap: petition to attach unorganized territory to the township of Helena, Antrim county.

Referred to the committee on towns and counties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for laying out and altering highways on the line between townships, cities and villages,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. F. HOWARD,

*for the Committee.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend the drainage law of 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

O. F. HOWARD,  
*for the Committee.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 1282, of the compiled laws, relating to limited partnerships,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to authorize school district No. 17, of the townships of Ann Arbor and Scio, in the county of Washtenaw, to borrow money to build a school house,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SELECT COMMITTEES.

By the select committee appointed to recommend a reference to the appropriate committees, of the subjects contained in the Governor's message:

The select committee, to whom was referred the message of his Excellency, Gov. Crapo, to recommend a division and reference of the subjects therein contained, respectfully report that they have had the same under consideration, and have directed me to recommend the following references, viz:

So much as relates to finance, to the committee on ways and means.

So much as relates to the soldiers' home, the soldiers' relief fund, and so much as relates to immigration, to the committee on State affairs.

So much as relates to the pardoning power, to the revision of the constitution, and to land titles, to the committee on the judiciary.

So much as relates to the Sault St. Mary's Falls Ship Canal, the Lac LaBelle Ship Canal, the Portage Lake and Lake Superior Ship Canal, and to railroads, to the committee on internal improvements.

So much as relates to the late insurgent States, to the committee on federal relations.

So much as relates to swamp lands, and to State roads, to the committee on public lands.

So much as relates to agriculture, to the committee on agriculture.

So much as relates to education, and to the Agricultural College, to the committee on education.

So much as relates to wagon roads, to the committee on roads and bridges.

So much as relates to the Asylum for the Insane, to the committee on the Asylum for the Insane.

So much as relates to the Asylum for the Deaf, Dumb and Blind, to the committee on the Asylum for the Deaf, Dumb and Blind.

So much as relates to the geological survey, to the committee on geological survey.

So much as relates to military affairs, to the committee on military affairs.

So much as relates to the Paris Exposition, to the committee on manufactures.

So much as relates to the State Prison, to the committee on the State Prison.

So much as relates to mines and minerals, to the committee on mines and minerals.

So much as relates to the Reform School, to the committee on the Reform School.

All of which is respectfully submitted.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

Mr. J. H. Jones moved to amend the report by striking out of the subjects recommended to be referred to the committee on the judiciary, "the subject of a revision of the Constitution," and to embrace that subject in the matters referred to the committee on State affairs;

Which motion prevailed.

The report, as amended, was then agreed to.

#### MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 7, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Whereas*, The Hon. Arnold Kaichen, Register of the United States Land Office, for the Detroit District, has been for some time engaged in gathering statistics of the resources of, and

inducements to immigration in, the new counties of said district; therefore,

*Resolved*, By the House, (the Senate concurring,) That he be most respectfully requested to furnish for the use of the Senate and House, a report of the result of such labor.

*Resolved*, That the Clerk of the House be instructed to forward him a copy of the foregoing preamble and resolution, upon their passage;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The message was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fenton offered the following:

*Resolved*, That one thousand additional copies of the Governor's message be printed in the French language, for the use of the members and officers of this House, and one thousand copies to be forwarded by the Secretary of State to our Agent at the Paris Exposition: *Provided*, That the expense of translating and publishing the same shall not exceed twenty per cent. above the cost of a like number in the English language.

Mr. Woodman moved to amend the resolution by adding the following: "provided that the copies for the use of the members shall be furnished within 30 days;"

Which was accepted.

The resolution, as amended, was then adopted.

Mr. White offered the following:

*Resolved*, That 1,000 copies each of the Reports of the Commissioner of the State Land Office, Auditor General, Board of Trustees of the Michigan Asylum for Deaf, Dumb and Blind, Board of Trustees of the Insane Asylum, Board of Trustees of the Reform School, Commissioners of State Prison, Commissioner of Sault St. Mary's Canal, and 2,000 copies of the Report of State

Treasurer, be ordered for the use of the members of this House;  
Which was adopted.

Mr. Jenness offered the following:

*Resolved*, (the Senate concurring,) That the Sergeant-at-Arms of the House be instructed to procure a suitable U. S. flag, and raise it over the State House.

On motion of Mr. Swift,

The rule was suspended, requiring the resolution to lie upon the table one day, and the resolution was adopted.

Mr. Jenness gave notice that on some future day he would ask leave to introduce

Joint resolution for the relief of Charles McCormick.

Mr. Grier gave notice that on some future day he would ask leave to introduce

A bill relative to executing, acknowledging and recording deeds, mortgages, and other instruments, and to prevent frauds in land titles,

Mr. Holt offered the following:

*Resolved*, That in all bills introduced amending any part of the compiled laws, the title of the bill shall contain a reference to the consecutive number of the section or sections proposed to be amended, as the same are numbered by the compiler, and that the title shall also state the subject to which the bill relates;  
Which was adopted.

Mr. Randall gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 273, of the session laws of 1865, entitled 'an act to amend section eight hundred and twenty-one, it being section thirty-nine, of chapter seventeen, of compiled laws, relative to the payment of taxes to township treasurers.'

Mr. Dusseau gave notice that on some future day he would ask leave to introduce

A bill to amend section six, of chapter 27, of the revised statutes of 1846, being section 1103 of the compiled laws.

Mr. Glavin gave notice that on some future day he would ask leave to introduce



A bill to incorporate the village of Three Oaks, in the county of Barrien.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to amend section 3, of act No. 87, of the laws of 1846, approved April 28, 1846, entitled "an act to amend an act entitled an act relative to free schools in the city of Detroit," approved February 17, 1842.

Mr. Hopkins gave notice that on some future day he would ask leave to introduce

A bill to set off and incorporate a portion of the townships of Grand Haven and Spring Lake, in the county of Ottawa, into a city by the name of the city of Grand Haven.

Mr. J. H. Jones gave notice that on some future day he would ask leave to introduce

A bill to amend section 818 of compiled laws, relative to the levying and collection of taxes.

Mr. Benedict gave notice that on some future day he would ask leave to introduce

A bill to aid in the construction of a railroad from Howell to Lansing, touching at some point at or within  $\frac{1}{2}$  of a mile of Fowlerville, Williamston and Okemos.

Mr. S. T. Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for assessing property at its cash value, and for levying and collecting taxes thereon, approved February 14, 1853, and the acts amendatory thereof, approved February 12, 1855, and February 14, 1858.

Mr. Huckins, previous notice having been given, and leave being granted, introduced

A bill to increase the powers and duties of the sheriff of Sanilac county.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Wilcox, previous notice having been given, and leave being granted, introduced

A bill to exempt disabled soldiers and sailors from highway labor, and the payment of a capitation or poll tax.

The bill was read a first and second time by its title and referred to the committee on ways and means.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend section 1113, of chapter 150, of the revised statutes of A. D. 1846, the same being sections 5647 and 5649 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to amend section 3119 of the compiled laws, so that equitable estates and equitable interests in lands shall be subject to sale on execution.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend sections 1 and 9, of chapter 139, of the revised statutes of 1846, being sections 5350 and 5358, of the compiled laws, touching the limitation of actions relating to real property, as amended by act No. 227, of the session laws of 1863.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to amend sections 4743, 4744, 4761, 4763, 4764, 4773 and 4775, of the compiled laws, relating to proceedings against debtors, by attachment.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

Joint resolution asking the General Government for a grant of land, to aid in the construction of the Mineral Range Railroad.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to amend section two, of act number 356, of the session laws of 1865, entitled "an act to authorize the formation of corporations for literary and scientific purposes," approved March 21, 1865.

The bill was read a first and second time by its title and referred to the committee on religious and benevolent societies.

Mr. Willard, previous notice having been given, and leave being granted, introduced

A bill to authorize the city of Battle Creek to borrow money for city purposes, and to issue bonds for the payment of the same.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. C. R. Brown, previous notice having been given, and leave being granted, introduced

A bill to authorize the trustees of the first society of the Methodist Episcopal church of the village of St. Joseph, Berrien county, to mortgage their church property for the purpose of completing their church edifice.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Hawley previous notice having been given, and leave being granted, introduced

A bill to provide for the incorporation of churches of Christ.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to provide for connecting the Duncan, Alpena and Sauble River State road, with the East Saginaw and Sauble River State road."

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. J. H. Jones, previous notice having been given, and leave being granted, introduced

A bill to amend section twenty-six, (26,) of act number thirty-two, (32,) of session laws of 1858, relative to the compensation of supervisors and assessors.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Boies, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number eight, of the township of Hudson, in the county of Lenawee, to borrow money for the purposes therein mentioned.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Holt, previous notice having been given, and leave being granted, introduced

A bill to correct and legalize the assessment roll of the township of Ravenna, Muskegon county, for the year 1866, and to extend the time for the collection of the same.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Kingsbury, previous notice having been given, and leave being granted, introduced

A bill to amend an act, entitled "an act to provide for the recovery of taxes paid on real estate by persons claiming title thereto in certain cases," approved March 20, 1865.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Fellows gave notice that on some future day he would ask leave to introduce

A bill for the relief of certain persons in the township of Oshtemo, Kalamazoo county.

Mr. Corey gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Lodi, in the county of Washtenaw, to levy and collect upon the property of the town a sum not exceeding two thousand dollars, for the purpose of purchasing a site, and building a town house for the use of said town.

Mr. Storrs gave notice that on some future day he would ask leave to introduce

A bill to provide for recording marks on logs and timber, on Grand river and its branches.

Mr. VanVleet gave notice that on some future day he would ask leave to introduce

A bill to amend sections 5690 and 5691, of the compiled laws, being sections 2 and 3, of an act relative to the costs of proceedings in criminal cases, approved March 13th, 1849.

Mr. Murray gave notice that on some future day he would ask leave to introduce

A bill to provide for the payment of bounties to volunteers, authorized by an act of the Legislature of 1864.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to amend section two, of an act entitled "an act for the relief of school districts," approved February 7, 1855, and to add a new section thereto, the same being section No. 2400, of chapter No. 78, of compiled laws.

Mr. Healy gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the township of Marquette, and the township of Chocoday, in the county of Marquette, in raising money to macadamize a road between said townships.

Mr. Emery gave notice that on some future day he would ask leave to introduce

A bill to provide for laying out and establishing a State road from Stephens' Landing, in Sanilac county, to Burnside, in Lapeer county, and for an appropriation of swamp lands, to aid in the construction of the same.

Mr. Lockwood asked to be excused from serving on the standing committees on harbors, and lumber interests;

The House accepted his resignation from service on said committees.

Mr. Taylor gave notice that on some future day he would ask leave to introduce

A bill to legalize the assessment rolls of the township of Spalding, in the county of Saginaw, and to extend the time for the collection of the same.

Mr. Mead offered the following:

*Resolved*, (the Senate concurring,) That the State Librarian be and he is hereby authorized to employ a messenger for the State Library during the session of the Legislature, at a compensation not to exceed two dollars per day.

Laid on the table for one day under the rules.

Mr. J. H. Jones gave notice that on some future day he would ask leave to introduce

A bill granting to certain townships, cities and counties in this State, the right to aid in the construction of a canal from some place on the Detroit river, to some point at or near St. Joseph, on Lake Michigan.

Mr. Rockwood gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road from Varna, Genesee county, to Chesaning, in Saginaw county, and that he shall ask for the non-resident road tax on the line of the road, also an appropriation of swamp land to aid in the construction of said road.

Mr. Swift moved that when the House adjourn, it be until half-past two o'clock this afternoon;

Which motion prevailed.

On motion of Mr. Mickley,

The House adjourned.

—  
AFTERNOON SESSION.

2½ o'clock P. M.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Pearl: petition of E. J. Stark and 112 others, asking an appropriation of swamp lands for the Greenbush and Gratiot State road;

Also, petition of Wm. Martin and 34 others, for the same purpose.

Referred to the committee on public lands.

By Mr. W. G. Brown: petition of P. Merrill and four others, to legalize a vote of the inhabitants of fractional union school district No. 1, of Parma, Spring Arbor, Concord and Sandstone, to issue bonds for the purpose of building a school house.

Referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Swift offered the following:

*Resolved*, That the committee on supplies and expenditures be, and they are hereby instructed, to have a portion of the platform in rear of the Speaker's desk enclosed by a railing, for the convenience of the Engrossing and Enrolling Clerks;

Which was adopted.

Mr. W. G. Brown gave notice that on some future day he would ask leave to introduce

A bill to authorize fractional union school district No. 1, of the townships of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds for the purpose of purchasing a site for, and building a school house in said district.

On motion of Mr. Taylor,

The House adjourned until to-morrow morning at 10 o'clock.

*Lansing, Wednesday, January 9, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bryant.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Walker and McKernan.

Mr. Fenton asked and obtained leave of absence for Mr. McKernan, for an indefinite time.

Mr. Swift asked and obtained leave of absence for Mr. Walker, for an indefinite time.

The Speaker announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 9, 1867. }

*To the Speaker of the House of Representatives:*

I have this day appointed C. S. Converse, of Shiawassee county, Assistant Clerk, pursuant to a resolution of the House.

N. B. JONES,

*Clerk of the House of Representatives.*

Mr. Converse took the constitutional oath of office, and entered upon the discharge of his duties.

#### PRESENTATION OF PETITIONS.

By Mr. Willard: petition of the Board of Regents of the University of Michigan.

On motion of Mr. Willard,

The petition was ordered [printed, and referred to the committee on education.

By Mr. Lockwood: petition of George H. Blush and 117 others, for an appropriation of State swamp lands to the Duncan, Alpena and Sauble, and East Saginaw and Sauble River State road;

Also, the petition of Herman Fahsalt and 86 others, for the same purpose;

Also, the petition of James O. Whittemore and 21 others, for the same purpose.

Referred to the committee on public lands.



By Mr. Ball: petition of R. C. Ramsey and 40 others, of the township of Green Oak, asking the Legislature to legalize the action of said township in voting aid to the Detroit and Howell railroad.

Referred to the committee on internal improvements.

By Mr. Lockwood: petition of James O. Whittemore and 29 others, for the incorporation of the county of Ogemaw with the county of Iosco, as one county;

Also, the petition of Henry Howard and 60 others, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Lockwood: petition of James O. Whittemore and 89 others, for a State swamp land road from Tawas City to Traverse City, and an appropriation of lands therefor;

Also, the petition of James O. Whittemore and John Oliver, and 14 others, for the same purpose.

Referred to the committee on public lands.

By Mr. Lockwood: petition of J. B. Tuttle, commissioner of the Duncan, Alpena and Sauble River State road, for a bridge across the Sauble River, and an appropriation of lands therefor.

Referred to the committee on roads and bridges.

By Mr. Lockwood: petition of R. B. Rollin and 61 others, for a State swamp land road from Tawas City to the west line of Iosco county.

Referred to the committee on public lands.

By Mr. Shetterly: memorial of the Wayne county medical society for the registration and return of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Mead: petition of James B. Eldridge and 42 others, praying for the passage of an act providing for the registration of births, marriages and deaths.

Referred to the committee on State affairs.

## REPORTS OF STANDING COMMITTEES.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to provide for the incorporation of churches of Christ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. S. PARMELEE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on benevolent and religious societies, to whom was referred the bill entitled

A bill to amend section two, of act number three hundred and fifty-six, of the session laws of 1865, entitled "an act to authorize the formation of corporations for literary and scientific purposes," approved March 21, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

L. S. PARMELEE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Camburn,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 11 and 13, of chapter 150, of the revised statutes of 1846, being sections 5647 and 5649 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to increase the powers and duties of the sheriff of Sanilac county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, entitled

A bill to increase the powers and duties of sheriffs, under and deputy sheriffs,

Recommending that the substitute be adopted, and that the same do pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gallup,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize school district number eight, in the township of Hudson, in the county of Lenawee, to borrow money for the purposes therein mentioned,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the city of Battle Creek to borrow money for city purposes, and to issue its bonds for the payment of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 26, of act No. 32, of the laws of 1858, relative to the compensation of supervisors and assessors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. H. Jones,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to exempt disabled soldiers and sailors from highway labor, and the payment of a capitation or poll tax,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Boies,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to correct and legalize the assessment roll of the township of Ravenna, Muskegon county, for the year 1866, and extend the time for the collection of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, January 8, 1867. }

*To the Legislature:*

I herewith transmit a copy of a joint resolution passed by the General Assembly of the State of Vermont, at the October session, held A. D. 1865, asking an appropriation by Congress to endow Female Colleges in the several States, and inviting and urgently recommending the Legislatures of the several States to cooperate with that State in procuring from the Federal Government a grant of land for the aforesaid purpose.

Although the Secretary of the State of Vermont has omitted to sign his certificate, yet I consider the omission an accident, and therefore deem it expedient to refer the whole subject embraced in said resolution, to your consideration.

HENRY H. CRAPO.

The following are the papers referred to in the message of the Governor:

**JOINT RESOLUTION**, Asking an appropriation by Congress to endow Female Colleges, in the several States.

*Resolved by the General Assembly of the State of Vermont,* That our Senators and Representatives in Congress be and are hereby requested to use their influence to procure a donation of lands by Congress, to endow Female Colleges in the several States.

*Resolved,* That we hereby invite and urgently recommend the Legislatures of the Several States to cooperate with this State in procuring from the Federal Government a grant of lands for the aforesaid purpose.

*Resolved*, That the Secretary of State be and he is hereby requested to transmit a copy of the foregoing resolutions to each of our Senators and Representatives in Congress, and to each of the Legislatures of all the loyal States.

JOHN W. STEWART,

*Speaker of the House of Representatives.*

A. B. GARDNER,

*President of the Senate.*

STATE OF VERMONT, SECRETARY OF STATE'S OFFICE, }  
*Montpelier, ———, A. D., 1865.* }

I hereby certify, that the foregoing is a true copy of a Joint Resolution passed by the General Assembly of the State of Vermont, at the October session, held A. D. 1865.

Given under my hand and the seal of this Office,  
 [ L. S. ] this ———day of ——— A. D. 1865.

————— *Secretary of State.*

The message and accompanying documents were referred to the committee on education.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to provide for raising by tax, a sum of money in the township of Canton, Wayne Co., for the purpose of refunding advances made for bounty.

Mr. Spence gave notice that on some future day he would ask leave to introduce

A bill to amend sections 5, 6, 8, 9, 13, 14, 17, 19, 20, 22, 24, 26, 27, 35 and 37 of an act entitled an act to establish a Police Government of the city of Detroit, and to add thereto two (2) new sections.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the common council of the city of Ann Arbor, in issuing bonds for improving the observa-

tory of the University, and the streets in the vicinity of the same.

Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of school district No. 5, in the township of Lowell, in Kent county, in raising money to build a school house therein;

Also,

A bill to legalize the action of the township of Lowell, in Kent county, in raising money to build a bridge across Grand River.

Mr. Slayton offered the following:

*Whereas*, The public are agitated, by the discussion in Congress, of the subject of the impeachment of Andrew Johnson, the acting President of the United States;

*And whereas*, The Republican party, by its present large majority, and by its lately increased majorities, is responsible for the government of the country; therefore

*Resolved*, (The Senate concurring,) That it is inexpedient at present to impeach the said Andrew Johnson; and that our Senators in Congress be instructed, and our Representatives be requested, to discourage all attempts thereto, and to use their influence and votes against such a measure.

Laid on the table for one day, under the rules.

Mr. Holt offered the following:

*Resolved*, That the 40th rule of the House be so amended as to provide for a standing committee of five members, to be called the committee on local taxation;

Which was adopted.

Mr. Fenton offered the following:

*Resolved*, That a committee of three be appointed to wait on President Haven, and he be respectfully requested to deliver a lecture before the members of this House;

Which was adopted.

The Speaker appointed as such committee, Messrs. Fenton, Spence and Willard.



Mr. Newcombe offered the following:

*Resolved*, That there be added to the standing committees of the House, a committee on immigration, to consist of five members, and that rule 40 be amended to that effect;

Which was adopted.

Mr. Willard, previous notice having been given, and leave being granted, introduced

A bill to amend section 63 of an act entitled "an act to incorporate the City of Battle Creek," approved February 3d, 1859, relating to the powers of the common council to levy and collect taxes.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Jenness, previous notice having been given, and leave being granted, introduced

Joint resolution authorizing the Commissioner of the State Land Office to issue a certificate of sale of certain land to Charles McCormick, of Ypsilanti, Michigan.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

• Mr. W. G. Brown, previous notice having been given, and leave being granted, introduced

A bill to authorize fractional union school district No. 1, of the townships of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Fellows, previous notice having been given, and leave being granted, introduced

A bill to authorize the levying a tax in the township of Osheme, county of Kalamazoo, and State of Michigan, for the purpose of paying the principal and interest of a debt contracted by certain persons for paying bounties to volunteers, to aid in suppressing the rebellion.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. J. H. Jones, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend section 818 of compiled laws, as amended by an act approved January 31st, 1859, and as amended by act No. 139, of session laws of 1863, approved March 18th, relative to the column in which State, county and township taxes shall be placed.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Newell, previous notice having been given, and leave being granted, introduced

A bill to regulate the hours of labor.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill to amend section 98, chapter 78, of the compiled laws, relating to primary schools.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill to amend sections 5690 and 5691, of the compiled laws, being sections two and three of an act relative to the costs of proceedings in criminal cases, approved March 13, 1849.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to amend section two, of an act entitled an act for the relief of school districts, approved February 7, 1855, and to add two new sections thereto.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, and February 14, 1858.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Willard gave notice that on some future day he would ask leave to introduce

A bill to authorize townships and other municipal corporations to unite in establishing and sustaining union schools, high schools and seminaries of learning.

Mr. Aitkin offered the following:

*Resolved*, That of each bill and joint resolution ordered printed, 300 copies be printed for the use of this House;

Which was adopted.

Mr. S. T. Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend section 3786, chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace;

Also,

A bill to repeal all existing laws, rules, and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counselor for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit courts;

Also,

A bill to amend act No. 60, of the session laws of 1863.

Mr. Woodman gave notice that on some future day he would ask leave to introduce

A bill to lay out and construct a State road in Van Buren county.

Mr. Aitken gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 39, of session laws of 1865, entitled "an act to amend section fifteen, of chapter 21, of the compiled laws, relative to the duties of overseers of highways," approved Feb. 10, 1865.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to authorize (graded) school district number eight, of the township of Ingham, in the county of Ingham, to borrow money for the purposes therein mentioned.

Mr. Swezey gave notice that on some future day he would ask leave to introduce

A bill to authorize School District No. one, of the township of Hastings, to issue bonds and borrow money for the purpose of building a school-house.

UNFINISHED BUSINESS,

Being the consideration of the following resolution: .

*Resolved*, (the Senate concurring,) That the State Librarian be and he is hereby authorized to employ a messenger for the State Library during the session of the Legislature, at a compensation not to exceed two dollars per day.

On motion of Beall,

The resolution was referred to the committee on State Library.

On motion of Mr. J. H. Jones,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Thursday, January 10, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. C. S. Armstrong.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Grier, Tompkins, and E. Spalding.

Mr. Healy asked and obtained leave of absence for Mr. Grier for an indefinite time.

Mr. Kingsbury asked and obtained leave of absence for Mr. Hopkins for an indefinite time.

Mr. Wilson asked and obtained leave of absence for Mr. E. Alding for an indefinite time.

Mr. W. G. Brown asked and obtained leave of absence for himself for an indefinite time.

The Speaker announced the following appointments:

*Committee on Local Taxation*—Messrs. Holt, Mason, Taylor, Woodward, Barber.

*Committee on Immigration*—Messrs. Newcombe, Hill, Lockwood, Dunlap, Spence.

*Committee on Lumber Interests*—Mr. Storrs, in place of Mr. Lockwood, excused.

*Committee on Harbors*—Mr. Glavin, in place of Mr. Lockwood, excused.

\*PRESENTATION OF PETITIONS.

By Mr. Healy: petition of C. M. Lawler and seventeen others, Marquette county, praying the Legislature to make an appropriation for the purpose of defraying the expenses of M. H. F. Q. D'Aligny, Commissioner of the State of Michigan, the Paris Exposition.

Referred to the committee on manufactures.

By Mr. Hill: petition of William Webb, agent of the National Mining Company, and thirty-seven others, of the county of Ontonagon, praying that an appropriation be made to compensate and defray the expenses of H. F. Q. D'Aligny, commissioner to represent the State of Michigan at the Exposition of industry of all nations;

Also, petition of the secretary of the Board of trustees of the village of Houghton, for the same purpose;

Also, petition of Charles Dudley Head, President of the State's Canal Mineral Land Company, for the same purpose;

Also, petition of the officers of the First National Bank, of Houghton, in the county of Houghton, for the same purpose;

Also, petition of A. W. Brockway and twenty-six others, of the county of Genesee, for the same purpose;

Also, petition of R. J. Wood, agent of Boston & Alb Mining Company, and resident agent of St. Mary's Canal & Mineral Land Company, and thirty others, for the same purpose.

Also, petition of J. Vivian, agent of Phoenix Copper Company, and forty-four others, for the same purpose.

Referred to the committee on manufactures.

By Mr. Wilson: petition of M. S. Hadley and 60 others legalize the action of the township of Avon, in Oakland county in voting aid to the Grand Trunk Railroad of Michigan.

Referred to the committee on local taxation.

By Mr. Newell: petition of D. B. Harrington and 27 others praying for the legalization of the organization and assessment roll, in relation to the division of the township of Port Huron also to change the name of Fort Gratiot to that of Keosau.

Referred to the committee on towns and counties.

By Mr. Warner: memorial of the Jackson, Lansing and Saginaw Railroad Company, asking a confirmation of its title to certain property, rights and franchises acquired by it of the Amboy, Lansing and Traverse Bay Railroad Company.

Referred to the committee on internal improvement.

By Mr. Shetterly: petition of Wm. Brown and ten others for the registration and return of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Crossman: petition of L. Woodhouse, J. B. Dakin and eighty-eight others, citizens of Dansville, Ingham county, for the incorporation of said village of Dansville.

Referred to the committee on banks and incorporations.

By Mr. Lockwood: petition and memorial of S. E. Hitchcock and 80 others, of the village of Alpena, relating to the construction of State swamp land roads, and asking for a further appropriation of lands for the Duncan, Alpena and Sauble River and East Saginaw and Sauble River State road.

Referred to the committee on public lands.

By Mr. Mead: petition of Edwin Starkweather and 12 others praying for an amendment of the statutes relative to the distribution of insolvent estates of deceased persons.

Referred to the committee on the judiciary.

By Mr. Lovell: petition of members of the board of supervisors of Kalamazoo county, to amend the law relative to the compensation of supervisors.

Referred to the committee on State affairs.

By Mr. Huckins: petition of W. R. Nims and 8 others, citizens of Sanilac county, relative to the registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Emery: petition of Robert G. Brown and 108 others, for an appropriation of swamp lands, to aid in the construction of a State road from Stephens' Landing, in Sanilac county, to Burnside, in Lapeer county.

Referred to the committee on roads and bridges.

By Mr. Pearl: petition of E. J. Stark and 30 others, asking that the name of the village of Greenbush, be changed to Eureka.

Referred to the committee on towns and counties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled "an act for the relief school districts," approved February 7, 1855, and to add two more sections thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section §119, of the compiled laws, so that

equitable estates, and equitable interests in lands, shall be subject to sale on execution,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 3119, of the compiled laws, so as to make certain equitable interests in land liable to levy and sale on execution,

Recommending that the substitute be concurred in, and the substitute do pass, and ask to be discharged from further consideration of the subject.

S. T. PARSONS, *Acting Chairman*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections one and nine, of chapter 139, of the revised statutes of 1846, being sections 5350 and 5358 of the compiled laws, touching the limitations of actions relating to real property, as amended by act No. 227, of the session of 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when amended, do pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman*

Report accepted and committee discharged.

On motion of Mr. Jewell,

The House concurred in the amendment made to the bill by the committee.



The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend certain sections of an act entitled an act to repeal chapter one hundred and twenty-two, of the revised statutes of eighteen hundred and forty-six, and the amendments thereto, and provide for the collection of damages against water craft, approved February fifth, eighteen hundred and sixty-four,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Boies,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to amend section ninety-eight, of chapter seventy-eight, of the compiled laws, relative to primary schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Randall,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred the petition of John Willis, Thomas Seward and fifteen others, to attach unorganized territory to the township of Helena, Antrim county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill attaching certain territory to the township of Helena, Antrim county,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section sixty-three of an act entitled an act to incorporate the city of Battle Creek, approved February 3, 1859, relating to the powers of the common council to levy and collect taxes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize fractional school district No. 1, of Parma, Spring Arbor, Concord and Sandstone, in the county of Jackson, to issue bonds for the purpose of purchasing a site for, and building a school house,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SELECT COMMITTEES.

The select committee appointed to wait on President Haven, and request him to deliver an address before the House, reported that they had performed the duty assigned them, and that President Haven would address the House this evening.

Report accepted and committee discharged.

#### MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, January 9, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (the Senate concurring,) That the Sergeant-at-Arms of the House be instructed to procure a suitable U. S. flag, and raise it over the State House.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The message was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. White offered the following:

*Resolved*, That this Hall be opened for the use of the members of the Legislature, and the public, this evening, for the purpose of listening to Dr. Haven's lecture;

Which was adopted.

Mr. Bonine offered the following:

*Resolved*, (the Senate concurring,) That the action of the House of Representatives in Congress, in ordering a committee to inquire concerning the high crimes and misdemeanors alleged to have been committed by Andrew Johnson, President of the United States, in his official capacity, with a view to his impeachment, if in the opinion of said committee, after having investigated the charges, the said Andrew Johnson is guilty thereof, meets the approval of this body.

*Resolved*, That while we would deprecate the calling in question of the official acts of any public officer, for light and insufficient reasons, Executive usurpation and conduct which tend to undermine the authority of a coördinate branch of the General Government, should receive prompt and condign punishment.

*Resolved*, That the use of the public patronage for corrupt purposes, and to secure partisan ends, is a crime against the common weal, and would justify the removal from official positions and places of power, those who are guilty of such high crimes and misdemeanors.

*Resolved*, That a copy of the foregoing resolutions, signed by his Excellency the Governor of this State, and by the presiding officers of the Senate, and House of Representatives, be forwarded to the Speaker of the House of Representatives, in Congress.

Mr. C. R. Brown moved to suspend the rules requiring the resolution to lie upon the table one day, that the resolution might be put upon its passage;

Which motion did not prevail.

The resolution was laid on the table for one day under the rules.

Mr. J. H. Jones offered the following:

*Resolved*, That the committee on the judiciary be instructed to inquire what further legislation is necessary, if any, in order to tax the stocks of National Banks, and report to this House by bill or otherwise;

Which was adopted.

Mr. Rockwood offered the following:

*Whereas*, It is evident that the Congress of the United States is about to alter or amend the tariff laws of said United States.

*And Whereas*, The great interests of Michigan, viz: Agriculture, minerals and lumber, will be greatly enhanced or impeded in proportion to the amount of duties imposed upon such articles as come in competition with the products of this State; therefore,

*Be it resolved*, By this House, (the Senate concurring,) That our Senators in Congress be instructed, and our Representatives be requested to vote for and use their influence to procure the passage of such a law as will give the people of this State a greater protection from foreign competition on the agricultural and manufacturing interests of this State.

*And be it further resolved*, That the people of this State will be satisfied with nothing less than the passage of the tariff bill that passed the House of Representatives the first session of the 39th Congress, and was laid on the table by the Senate of that body until the second session of said 39th Congress.

*Be it further resolved*, That in the event of the passage of these resolutions, the Clerk of this House be requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

The resolutions were laid on the table for one day, under the rules.

Mr. Wilcox offered the following:

*Resolved*, That the committee on supplies and expenditures report weekly, during the session of the Legislature, the amount of stationery furnished the officers and committees of this House;

Which was adopted.

Mr. Hawley offered the following:

*Whereas*, The people have voted to hold a convention to revise the State Constitution, and it is the duty of the Legislature to provide for carrying out the will of the people; therefore,

*Be it resolved*, That it is the sense of this House that, in the said convention, the whole people should be equally represented, and that not a mere majority of the people should be exclusively represented.

*Resolved*, That a majority of the electors should have a majority of the representatives, in said convention, and that a minority of the electors should have a minority of the representatives. Man for man, the minority should be as fully represented as the majority. Unless they are, there is not equal representation, but a representation of inequality and privilege. There is a part whose fair and equal share of influence in the convention is withheld from them, contrary to all just representation, and, above all, contrary to the principles of Republican institutions, which profess equality for their very root and foundation.

*Resolved*, That the inevitable consequence of the manner in which votes are now taken, is the disfranchisement of minorities, and the numerical majority alone possess, practically, any voice in the State.

*Resolved*, That the virtual blotting out of the minority is no necessary or natural consequence of free institutions, but is diametrically opposed to the first principle of free government—representation in proportion to numbers. It is an essential

part of Republican and democratic institutions, that minorities should be adequately represented. No real representation, nothing but a false show of representation, is possible without it.

*Resolved*, That real equality of representation is not obtained, unless any set of electors amounting to the average number of a constituency, wherever in the State they may happen to reside, have the power of combining with one another to return a representative.

Mr. Hawley moved to lay the resolutions on the table;

Which motion did not prevail.

Mr. R. B. Smith moved that the resolutions be referred to the committee on State affairs;

Which motion did not prevail.

Mr. Newcombe moved that the resolutions be referred to the committee on harbors and salines, jointly;

Which motion did not prevail.

Mr. Swift moved that the resolutions be referred to the committee on State affairs;

Which motion prevailed.

Mr. Upton offered the following:

*Resolved*, That the use of this Hall be granted to Prof. John Williams, of Jackson, member of the Royal Shakesperian Society, of England, to deliver a free lecture, on some future evening, designated by Mr. Williams.

On motion of Mr. Woodman,

The resolution was laid on the table.

Mr. Newcombe offered the following:

*Whereas*, It is publicly charged that Andrew Johnson, Vice President and acting President of the United States, has been guilty of unfaithful and corrupt execution of the trusts and duties of his high office, and of committing acts which, in contemplation of the Constitution of the United States, are high crimes and misdemeanors;

*And whereas*, Though the voice of the nation has been heard in condemnation of his official practices, he still persists in oppo-

sing his individual will to the will of the people, repeatedly and constitutionally expressed; therefore,

*Resolved*, (the Senate concurring,) That this body approves and will support the action of the House of Representatives in Congress, authorizing inquiry into his official conduct, with a view to his impeachment, if upon investigation he shall be found to have been guilty of acts which were designed or calculated to overthrow, subvert or corrupt the government of the United States, or any department or officer thereof; or of acts which, in the contemplation of the Constitution, are high crimes and misdemeanors.

*Resolved*, That a copy of the foregoing preamble and resolution, duly authenticated, be transmitted to the House of Representatives in Congress.

Laid on the table for one day, under the rules.

Mr. Van Vleet gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 273, of session laws of 1865, being an act to amend section 39, of chapter 17, compiled laws, relative to the payment of taxes to township treasurers;

Also,

A bill to amend section 5654, of the compiled laws, relative to fees of jurors.

Mr. Mead gave notice that on some future day he would ask leave to introduce

A bill to amend section two thousand seven hundred and thirty-one, of the compiled laws, relative to the acknowledgment of deeds;

Also,

A bill to amend section 3544, of the compiled laws, relating to proceedings in courts of Chancery, against absent, concealed and non-resident defendants;

Also,

A bill to amend section 2726, of the compiled laws, relating to the conveyance of land.



Mr. Boies gave notice that on some future day he would ask leave to introduce

A bill for the promotion of agriculture, manufactures and the mechanic arts.

Mr. McCutcheon gave notice that on some future day he would ask leave to introduce

Joint resolution authorizing and requiring the Board of State Auditors to credit and allow certain claims for lands taken by the Michigan Southern Railroad;

Also,

A bill to amend act No. 38, of the session laws of 1865, entitled "an act to amend section five hundred and seventy-nine (579) of the compiled laws, requiring overseers of highways to give bonds."

Mr. Willard offered the following:

*Resolved*, (the Senate concurring,) That the Legislature of Michigan have full confidence in the patriotism, integrity and discretion of the Republican majority of the present Congress of the United States; that the subject of the impeachment of the Chief Magistrate of the Nation is one of grave and solemn responsibility, which the National Constitution has devolved upon Congress, and in regard to which this Legislature, at the present time, is neither inclined to advise our Representatives, or instruct our Senators, but only to ask of them a prudent, fearless, and conscientious discharge of their duty.

Mr. Boies moved that the rule be suspended, requiring the resolution to lie upon the table one day, that the resolution might be put upon its immediate passage;

Which motion prevailed.

The resolution was then adopted.

Mr. Swezey gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the township of Hope, in the county of Barry, in voting to refund money raised to pay bounty to volunteers.

Mr. Taylor, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road from the township of Chesaning to the township of Spalding, all in the county of Saginaw, and to appropriate swamp lands to aid in the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Spence, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to establish a police government for the city of Detroit," and to add two new sections thereto.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Warner, previous notice having been given, and leave being granted, introduced

A bill to confirm the title of the Jackson, Lansing and Saginaw Railroad Company to the property, rights and franchises acquired by it of the Amboy, Lansing and Traverse Bay Railroad Company.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. C. R. Brown, previous notice having been given, and leave being granted, introduced

A bill to provide for the ascertaining and giving notice of the title of the lands of the heirs of deceased persons.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Wilson, previous notice having been given, and leave being granted, introduced

A bill to repeal section 28 of the act to authorize the business of banking, approved February sixteenth, one thousand eight hundred and fifty-seven.

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to authorize (graded) school district number eight, of the township of Ingham, in the county of Ingham, to borrow money for the purposes therein mentioned.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Woodman, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamps, marshes, and other low lands, by means of a State road to be known as the Van Buren county State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Emery, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend section 3786, chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hill, previous notice having been given, and leave being granted, introduced

Joint resolution authorizing the Governor to execute the certificate of non-incumbrance and surrender of the lands on the original line of the Marquette and Wisconsin State Line Rail road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Bonine, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to incorporate the city of Niles," approved February 12, 1859.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to provide for the appointment of emigrant agents, by the several counties, and to provide for their compensation by bounties upon actual settlers in such counties.

The bill was read a first and second time by its title, and referred to the committee on immigration.

Mr. Healy, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the township of Marquette and the township of Choccolay, in the county of Marquette, in raising money to macadamize a road between said townships.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Ball, previous notice having been given, and leave being granted, introduced

A bill to amend section 10, of act No. 188, of session laws of 1861, entitled an act to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Fenton, previous notice having been given, and leave being granted, introduced

Joint resolution to protect the fisheries of the State in the Upper Peninsula, to the people of the State and of the United States.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

1867.]

HOUSE OF REPRESENTATIVES.



Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to repeal all existing laws, rules and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counselor, for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit court.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

UNFINISHED BUSINESS,

Being the consideration of the following resolution:

*Whereas*, The public are agitated by the discussion in Congress, of the subject of the impeachment of Andrew Johnson, the acting President of the United States;

*And whereas*, The Republican party, by its present large majority, and by its lately increased majorities, is responsible for the government of the country; therefore

*Resolved*, (The Senate concurring,) That it is inexpedient at present to impeach the said Andrew Johnson; and that our Senators in Congress be instructed, and our Representatives be requested, to discourage all attempts thereto, and to use their influence and votes against such a measure.

On motion of Mr. Sweezey,

The resolution was laid on the table.

GENERAL ORDER.

On motion of Mr. Boies,

The House went into committee of the whole, on the general order,

Mr. Woodman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 1, entitled

A bill to provide for the laying out and altering highways upon the line between cities, townships and villages;

110711

Have directed their chairman to report the same back to the House, with the recommendation that it be recommitted.

J. J. WOODMAN, *Chairman*.

Report accepted.

On motion of Mr. J. H. Jones,

The recommendations of the committee were concurred in, and the bill was recommitted to the committee on roads and bridges.

On motion of Mr. White,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Friday, January 11, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Spencer.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Funston, Parker and Wiley.

Mr. Miles asked and obtained leave of absence for Mr. Funston, until to-morrow.

Mr. Spence asked and obtained leave of absence for Mr. Wiley, until Tuesday.

Mr. Corey asked and obtained leave of absence for Mr. Parker, for an indefinite time.

Mr. Locke asked and obtained leave of absence for himself, until Tuesday.

Mr. Hawley asked and obtained leave of absence for himself, until Tuesday, after to-day.

Mr. Haven asked and obtained leave of absence for himself, until Tuesday.

Mr. Aitkin asked and obtained leave of absence for Mr. Rockwood, until Tuesday.

The Clerk made a report to the House in regard to procuring the message of the Governor printed in the German language.

On motion of Mr. Boies,

The subject of printing the Governor's message in foreign languages was referred to the committee on printing.

PRESENTATION OF PETITIONS.

By Mr. L. Smith: petition of W. W. Eddy and 40 others, asking for an appropriation to aid in the completion of the Ithaca and St. Charles State Road.

Referred to the committee on public lands.

By Mr. Kingsbury: petition of John Ball and 18 others, asking the enacting of a necessary law for fully carrying out the Governor's recommendation for a geological survey of the State.

Referred to the committee on geological survey.

By Mr. Alexander: petition of Freeman Preston and 85 others, asking that the time for collecting the drainage tax in the town of Olive, Clinton county, be extended until the first of September, A. D. 1867.

Referred to committee on local taxation.

By Mr. Emerson: petition of Joseph Vogtlin, Sebastian Kuhn and John Roger, highway commissioners of the township of Rockland, Ontonagon county, asking that the assessment and collection of the highway tax in said township for the year 1866, may be legalized.

Referred to the committee on local taxation.

By Mr. Kedzie: memorial of T. T. Lyon and Sanford Howard, relative to the preservation and planting of forest trees.

On motion of Mr. Kedzie,

The memorial was ordered printed in the journal, and referred to a special committee of three.

The following is the memorial:

*To the Honorable, the Legislature of the State of Michigan :*

Your memorialists would respectfully represent, that, owing to the original abundance of the timber growth of our State, and the obstacle it consequently presented to the occupation of the soil for agricultural and other purposes, together with a

very general failure to appreciate its modifying influence upon our climate, a most reckless, improvident, and as your memorialists believe, injurious warfare, has, from the earliest settlement of our State, been waged against our forests, opening to the free sweep of winds, in many cases, extensive stretches of country, and thereby injuriously affecting still broader regions, by subjecting them, from such course, to more sudden and extreme changes of temperature, and at the same time, increasing the liability to frost and drought, by not only diminishing the amount of the rainfall, but also by accelerating evaporation from the surface, accompanied, as it must ever be, by a corresponding rapid diminution of temperature.

The monetary importance of this subject may be appreciated if we consider that within the last five years, the damage to the wheat crop of our State alone, from lack of shelter, can hardly be less than many millions of dollars; while the loss of fruit trees and their products, within that period, from the same cause, must at least be an equal sum.

Believing, as your memorialists do, that this process is still going on, and that its continuance must involve still more extensive and injurious effects upon the climatology of our State, we may be allowed to invoke your careful consideration of the subject, for the purpose of devising, if possible, a remedy. And, as a means of securing so desirable a result, we may be allowed to suggest the importance of a general diffusion of information on the subject, the encouragement by legislation for the preservation of spare timber in belts along the exposed sides of our farms, and the planting of trees as windbreaks where lands have been already opened; and to facilitate this last process, the modification of our highway laws, the better to facilitate the shutting up of stock from the highways, and the planting and preservation of roadside trees, whenever the people of a town shall so desire—and, in any and every feasible manner, the encouragement of the planting of trees as windbreaks, about buildings, yards, orchards, fields, farms and highways, till this country shall



become checkered over with windbreaks, either natural or artificial, breaking up and diminishing the force of our prevailing winds, attracting and retaining the tribute of passing clouds, and still further improving the equability of the temperature by checking the too free radiation of heat from the soil.

With this state of affairs in process of realization, we shall no longer be subject to the imputation that we are, by the recklessness of our people in this respect, entailing upon ourselves and our descendants, the severities of the prairie winters, while the inhabitants of the prairies, having the subject brought feelingly to their consideration, are, through a prudent foresight in this respect, already beginning to reap the benefits of the opposite course.

Your memorialists would request that in consideration of the peculiar nature of the subject, and the object to be secured, it be referred to such committee of your body, as from previous acquaintance with the matter in its various bearings, shall be best qualified to give it due consideration.

T. T. LYON,

SANFORD HOWARD,

*Sec. Mich. State Board of Agriculture.*

LANSING, Jan. 11th, 1867.

At a meeting of the Michigan State Board of Agriculture, at their office in Lansing, on the 10th day of January, 1867, the following resolution was unanimously adopted:

*Resolved*, That Mr. T. T. Lyon and the Secretary of this Board, prepare a memorial to the Legislature on the subject of the injurious destruction of forest trees in this State, the importance of checking this evil, and the expediency of encouraging the planting of trees as a means of shelter and protection to crops, fruit trees, &c.

SANFORD HOWARD,

*Secretary Mich. State Board of Agriculture.*

The Speaker appointed as such committee, Messrs. Kedzie, Woodman and Fellows.

## REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred that part of the Governor's message relating to the revision of the Constitution of the State,

Respectfully report that they have had same under consideration, and have directed me to report the same back to the House with the accompanying bill, entitled.

A bill to provide for the revision of the Constitution of the State of Michigan;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize graded school district number eight, of the township of Ingham, in the county of Ingham, to borrow money for the purposes therein mentioned,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to amend section ten, of act 188, of session laws of 1861, entitled an act to re-organize the Agricultural College of

the State of Michigan, and to establish a State Board of Agriculture,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that it do pass, and ask to be discharged from the further consideration of the subject.

O. H. FELLOWS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on bounties:

The committee on bounties, to whom was referred

A bill for the relief of certain persons in the township of Oshtemo, in the county of Kalamazoo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. R. BROWN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking the General Government for a grant of land, to aid in the construction of the Mineral Range Railroad,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. E. MICKLEY, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to legalize the action of the township of Marquette and the township of Chocalay, in the county of Marquette, in raising money to macadamize a road between said townships,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. S. T. Parsons,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, herewith report the following bill, entitled

A bill to provide for the payment of the officers and members of the Legislature for the year eighteen hundred and sixty-seven,

Recommend its passage, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, January 10, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the committee on the part of the Senate, and also on the part of the House, whose duties are to examine into, and report to their respective Houses, the condition and wants of the several Asylums, State Prison, etc., be considered a joint committee, and as such, be authorized to visit, at some future and convenient day, those institutions, in order that they may properly report;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

Mr. Howard moved that the House concur in the adoption of the resolution.

Mr. Kedzie moved to amend the resolution by striking out "etc.," after the word "Prison;"

Which motion prevailed.

Mr. Willard moved to amend the resolution by inserting after the word "Prison," the words "Reform School, Agricultural College and State University;"

Which motion did not prevail.

The resolution, as amended, was then adopted.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, January 9, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to legalize the action of the township of Marquette and the township of Chocalay, in the county of Marquette, in raising money to macadamize a road between said townships,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. S. T. Parsons,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, herewith report the following bill, entitled

A bill to provide for the payment of the officers and members of the Legislature for the year eighteen hundred and sixty-seven,

Recommend its passage, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, January 10, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, (the House concurring,) That the committee on the part of the Senate, and also on the part of the House, whose duties are to examine into, and report to their respective Houses, the condition and wants of the several Asylums, State Prison, etc., be considered a joint committee, and as such, be authorized to visit, at some future and convenient day, those institutions, in order that they may properly report;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

Mr. Howard moved that the House concur in the adoption of the resolution.

Mr. Kedzie moved to amend the resolution by striking out "etc," after the word "Prison;"

Which motion prevailed.

Mr. Willard moved to amend the resolution by inserting after the word "Prison," the words "Reform School, Agricultural College and State University;"

Which motion did not prevail.

The resolution, as amended, was then adopted.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, January 9, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill respecting the collecting of certain ditch taxes in the townships of Romulus and Van Buren, in the county of Wayne, for the year 1866, and for the re-assessment thereof;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title; and,  
On motion of Mr. Swift,

The rules were suspended, and the bill put upon its immediate passage.

The bill, being Senate bill, entitled

A bill respecting the collection of certain ditch taxes, in the townships of Romulus and Van Buren, in the county of Wayne, or the year 1866, and for the re-assessment thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Robinson,
Alexander,	Holt,	Shars,
Ball,	Hopkins,	Sexton,
Barber,	Howard,	Shepherd,
Beall,	Huckins,	Shetterly,
Benedict,	Jewell,	Slayton,
Boies,	J. H. Jones,	O. O. Smith,
Bonine,	R. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	P. S. Spaulding,
C. R. Brown,	Locke,	Spence,
Canniff,	Lockwood,	Stannard,
Camburn,	Lovell,	Stevens,
Chauvin,	Mallet,	Storrs,
Corey,	Mason,	Swezey,
Crossman,	McCutcheon,	Swift,
Deane,	Mead,	Taylor,
Dunlap,	Mickley,	Tompkins,



Dusseau,	Miles,	Upton,	
Eck,	Murray,	Van Vleet,	
Emerson,	Newcombe,	Warner,	
Emery,	Newell,	Wells,	
Fellows,	L. D. Osborn,	White,	
Fenton,	W. H. Osborn,	Wilcox,	
Gallup,	Packard,	Willard,	
Glavin,	F. Parsons,	Wilson,	
Greenfield,	S. T. Parsons,	Woodward,	
Haven,	Parmelee,	Woodman,	
Hawley,	Pearl,	Wright,	
Healy,	Randall,	Speaker,	90
	NAYS.		0

Title agreed to.

On motion of Mr. Swift,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. L. Smith gave notice that on some future day he would ask leave to introduce

A bill to authorize any of the counties, townships, cities or villages, on a proposed line between Muskegon and some point in the Saginaw Valley, to vote by tax, or pledge their credits for a certain amount, to aid in the construction of a railroad.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill for the appropriation of an additional section of land per mile, to the East Saginaw and Sauble River, and Duncan, Alpena and Sauble River State road, and provide for the expenditure of the same on said roads.

Mr. Barber offered the following:

*Resolved*, That the House do hereby unanimously tender a vote of thanks to President Haven, for the interesting and instructive address, delivered in compliance with an invitation previously extended.

*Resolved*, That the Clerk be hereby instructed to forward a copy of the foregoing resolution to President Haven;

Which was adopted.

Mr. Van Vleet gave notice that on some future day he would ask leave to introduce

A bill to amend section three, of act No. 178, of session laws of 1863, being an act to amend an act to provide for the relief, by counties, of the families of volunteers mustered into the military service of the United States, or of this State, approved May 4th, 1861, and to add certain sections thereto, approved January 17th, 1862.

Mr. L. Smith, previous notice having been given, and leave being granted, introduced

A bill to legalize a re-survey of a portion of the village plat of the village of St. Louis, and to authorize the recording of the same.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. J. H. Jones, previous notice having been given, and leave being granted, introduced

A bill to amend Sec. 587, being Sec. 95, of chapter 12, of compiled laws, relative to the compensation of certain township officers.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill to amend section two thousand seven hundred and twenty-one of the compiled laws, relating to the acknowledgment of deeds.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill to repeal act No 278, of session laws of 1865, relative to the payment of taxes to township treasurers.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Hill, previous notice having been given, and leave being granted, introduced

A bill (to amend section one, of act No. 177, of session laws of 1863, entitled an act to remit the specific tax upon mining, manufacturing, smelting and other companies of the Upper Peninsula, to the counties in which they arise for a period of five years, and to provide for the application of the same.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Boies offered the following:

*Resolved*, By the House of Representatives, (the Senate concurring,) that the action of the Congress of the United States, in promptly passing, over the President's veto, the bill annulling all distinction on account of color, in the exercise of the elective franchise in the District of Columbia, merits and receives the hearty and unqualified approval of this Legislature.

*Resolved*, (the Senate concurring,) That the Clerk of this House cause a copy of the foregoing resolution to be forwarded to each of the Senators and Representatives in Congress from this State.

Mr. Mickley moved that the rule be suspended, requiring the resolution to lie upon the table one day, that the resolution might be put upon its immediate passage;

Which motion prevailed.

Mr. Shetterly demanded the yeas and nays, on the adoption of the resolution.

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Huckins,	Mr. Robinson,
Ball,	Jewell,	Schars,
Barber,	J. H. Jones,	Shepherd,
Beall,	R. Jones,	Slayton,
Boies,	Kedzie,	L. Smith,
Bonine,	Kingsbury,	R. B. Smith,
Brownell,	Locke,	P. S. Spaulding,
A. S. Brown,	Lockwood,	Spence,

C. R. Brown,	Lovell,	Stannard,
Canniff,	Mallet,	Stevens,
Camburn,	Mason,	Storrs,
Crossman,	McCutcheon,	Sweezy,
Deane,	Mead,	Swift,
Dunlap,	Mickle,	Taylor,
Eck,	Miles,	Tompkins,
Emerson,	Murray,	Upton,
Emery,	Newcombe,	Van Vleet,
Fellows,	L. D. Osborn,	Warner,
Gallap,	W. H. Osborn,	Wells,
Glavin,	Packard,	White,
Greenfield,	F. Parsons,	Wilcox,
Haven,	S. T. Parsons,	Willard,
Hill,	Parmelee,	Woodward,
Holt,	Pearl,	Woodman,
Hopkins,	Randall,	Speaker,
Howard,		

76

## NAYS.

Mr. Alexander,	Mr. Fenton,	Mr. Shetterly,
Benedict,	Hawley,	C. C. Smith,
Chauvin,	Healy,	Wilson,
Corey,	Newell,	Wright,
Dusseau,	Sexton,	

14

Mr. Wilcox moved that Mr. Hawley be excused from voting;  
Which motion did not prevail.

Mr. Spence moved to reconsider the vote by which the House  
refused to excuse Mr. Hawley from voting;  
Which motion did not prevail.

Mr. Hawley then voted as recorded above.

Mr. Pearl gave notice that on some future day he would  
ask leave to introduce

A bill to amend section 1614, of the compiled laws, in rela-  
tion to lost goods and stray beasts.

Mr. Jewell gave notice that on some future day he would  
ask leave to introduce

A bill for the extension of the Englishville and Croton State  
road.

## UNFINISHED BUSINESS,

Being the consideration of the following resolutions:

*Resolved*, (the Senate concurring,) That the action of the House of Representatives in Congress, in ordering a committee to inquire concerning the high crimes and misdemeanors alleged to have been committed by Andrew Johnson, President of the United States, in his official capacity, with a view to his impeachment, if in the opinion of said committee, after having investigated the charges, the said Andrew Johnson is guilty thereof, meets the approval of this body.

*Resolved*, That while we would deprecate the calling in question of the official acts of any public officer, for light and insufficient reasons, Executive usurpation and conduct which tend to undermine the authority of a coördinate branch of the General Government, should receive prompt and condign punishment

*Resolved*, That the use of the public patronage for corrupt purposes, and to secure partisan ends, is a crime against the common weal, and would justify the removal from official positions and places of power, those who are guilty of such high crimes and misdemeanors.

*Resolved*, That a copy of the foregoing resolutions, signed by his Excellency the Governor of this State, and by the presiding officers of the Senate, and House of Representatives, be forwarded to the Speaker of the House of Representatives, in Congress.

On motion of Mr. Boies,

The resolutions were referred to the committee on federal relations.

Also, the following resolutions:

*Whereas*, It is evident that the Congress of the United States is about to alter or amend the tariff laws of said United States;

*And Whereas*, The great interests of Michigan, viz: agriculture, minerals and lumber, will be greatly enhanced or impeded in proportion to the amount of duties imposed upon such articles as come in competition with the products of this State; therefore,

*Be it resolved*, By this House, (the Senate concurring,) That our Senators in Congress be instructed, and our Representatives be requested to vote for and use their influence to procure the passage of such a law as will give the people of this State a greater protection from foreign competition on the agricultural and manufacturing interests of this State.

*And be it further resolved*, That the people of this State will be satisfied with nothing less than the passage of the tariff bill that passed the House of Representatives the first session of the 39th Congress, and was laid on the table by the Senate of that body until the second session of said 39th Congress.

*Be it further resolved*, That in the event of the passage of these resolutions, the Clerk of this House be requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

On motion of Mr. Hopkins,

The resolutions were referred to the committee on federal relations.

Also, the following resolutions:

*Whereas*, It is publicly charged that Andrew Johnson, Vice President and acting President of the United States, has been guilty of unfaithful and corrupt execution of the trusts and duties of his high office, and of committing acts which, in contemplation of the Constitution of the United States, are high crimes and misdemeanors;

*And whereas*, Though the voice of the nation has been heard in condemnation of his official practices, he still persists in opposing his individual will to the will of the people, repeatedly and constitutionally expressed; therefore,

*Resolved*, (the Senate concurring,) That this body approve and will support the action of the House of Representatives in Congress, authorizing inquiry into his official conduct, with a view to his impeachment, if upon investigation he shall be found to have been guilty of acts which were designed or calculated to overthrow, subvert or corrupt the government of the United States, or any department or officer thereof; or of acts

which, in the contemplation of the Constitution, are high crimes and misdemeanors.

*Resolved*, That a copy of the foregoing preamble and resolution, duly authenticated, be transmitted to the House of Representatives in Congress.

Mr. Hawley moved that the resolutions be referred to the committees on harbors and salines, jointly.

Mr. Boies moved as a substitute for the motion, that the resolutions be referred to the committee on federal relations;

Which was not agreed to.

Mr. Barber moved to indefinitely postpone the consideration of the resolutions.

Mr. Shetterly demanded the yeas and nays;

The demand was seconded, and the motion to indefinitely postpone did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,	Mr. Gallup,	Mr. Shepherd,	
Barber,	Hawley,	Shetterly,	
Beall,	Healy,	Slayton,	
Benedict,	Holt,	O. O. Smith,	
Chauvin,	Lovell,	Stannard,	
Corey,	Mead,	Willard,	
Dusseau,	Newell,	Wilson,	
Fenton,	Sexton,	Wright,	24

## NAYS.

Mr. Aitkin,	Mr. Huckins,	Mr. Randall,
Ball,	Jewell,	Robinson,
Boies,	J. H. Jones,	Schars,
Bonine,	R. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	P. S. Spaulding,
C. R. Brown,	Locke,	Spence,
Canniff,	Lockwood,	Stevens,
Camburn,	Mallet,	Storrs,
Crossman,	Mason,	Sweezey,
Deane,	McOutcheon,	Swift,
Dunlap,	Mickley,	Taylor,
Eck,	Miles,	Tompkins,
Emerson,	Murray,	Upton,
Emery,	Newcombe,	Warner,
Fellows,	L. D. Osborn,	Wells,

Glavin,  
Greenfield,  
Haven,  
Hill,  
Hopkins,  
Howard,

W. H. Osborn,  
Packard,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,

White,  
Wilcox,  
Woodward,  
Woodman,  
Speaker,  
65

Mr. Slayton moved to refer the resolutions to a joint committee, to consist of five members of the House and three from the Senate, and that all political resolutions hereafter introduced, be referred to the same committee;

Which motion did not prevail.

Mr. Boies moved to amend the motion of Mr. Hawley so as to, refer the resolutions to the committee on federal relations;

Which motion did not prevail.

The question being upon the motion to refer the resolutions to the committee on harbors and salines, jointly,

The motion did not prevail.

The question being upon the adoption of the resolutions,

Mr. Warner demanded the previous question.

The demand was seconded, and the main question ordered.

Mr. J. H. Jones demanded the yeas and nays.

The demand was seconded, and the resolutions were adopted, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,  
Ball,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
O. R. Brown,  
Canniff,  
Camburn,  
Crossman,  
Deane,  
Dunlap,  
Eck,  
Emerson,

Mr. Huckins,  
Jewell,  
J. H. Jones,  
R. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Mallet,  
Mason,  
McCutcheon,  
Mead,  
Mickley,  
Miles,  
Murray,

Mr. Robinson,  
Schars,  
Shepherd,  
Slayton,  
L. Smith,  
R. B. Smith,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Sweezey,  
Swift,  
Taylor,  
Tompkins,  
Upton,



Emery,  
Fellows,  
Gallup,  
Glavin,  
Greenfield,  
Haven,  
Hill,  
Holt,  
Hopkins,  
Howard,

Newcombe,  
L. D. Osborn,  
W. H. Osborn,  
Packard,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,  
Randall,

Van Vleet,  
Warner,  
Wells,  
White,  
Wilcox,  
Willard,  
Woodward,  
Woodman,  
Speaker,

76

### NAYS.

Mr. Alexander,  
Benedict,  
Chauvin,  
Corey,  
Dusseau,

Mr. Fenton,  
Hawley,  
Healy,  
Newell,  
Sexton,

Mr. Shetterly,  
C. C. Smith,  
Wilson,  
Wright,

14

On motion of Mr. Kedzie,

The House adjourned until to-morrow morning, at 10 o'clock

*Lansing, Saturday, January 12, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. C. S. Armstrong.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Ball, Benedict, Fenton, Hill, Hopkins, R. Jones, Lockwood, Lovell, Mallet, Mason, Murray, Newell, Packard, P. S. Spaulding, Taylor, Wells, White and Wright.

Mr. Camburn asked and obtained leave of absence for Mr. Ball, until next Tuesday.

Mr. Dusseau asked and obtained leave of absence for Mr. Benedict, until Monday.

Mr. Emerson asked and obtained leave of absence for Mr. Fenton, on account of sickness.

Mr. Kedzie asked and obtained leave of absence for Mr. Hill, until Tuesday.

Mr. Boies asked and obtained leave of absence for Mr. Hopkins, for an indefinite time.

Mr. Holt asked and obtained leave of absence for Mr. R. Jones, until Tuesday.

Mr. Slayton asked and obtained leave of absence for Mr. Lockwood, for an indefinite time.

Mr. Van Vleet asked and obtained leave of absence for Mr. Lovell, until Tuesday.

Mr. Stephens asked and obtained leave of absence for Mr. Mallet, for an indefinite time.

Mr. Jewell asked and obtained leave of absence for Mr. Murray, until Tuesday.

Mr. Shepherd asked and obtained leave of absence for Mr. Newell, until Tuesday.

Mr. Fellows asked and obtained leave of absence for Mr. Packard, on account of sickness.

Mr. Tompkins asked and obtained leave of absence for Mr. P. S. Spaulding, until Tuesday.

Mr. Dunlap asked and obtained leave of absence for Mr. Taylor, until Tuesday.

Mr. L. D. Osborn asked and obtained leave of absence for Mr. Wells, until Tuesday.

Mr. Corey asked and obtained leave of absence for Mr. White, until Tuesday.

Mr. Shetterly asked and obtained leave of absence for Mr. Wright, until Tuesday.

#### PRESENTATION OF PETITIONS.

By Mr. Newcombe: memorial of Herman Goeschel and 40 other German citizens of East Saginaw, respecting the action of the common council of said city, in the improvement of Genesee street in said city.

Referred to the committee on banks and incorporations.

By Mr. Wilson: petition of Dr. O. E. Bell and 12 others, for the passage of a law to provide for the registration and return of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Kingsbury: petition of Charles Shepard, M. D., and

18 others, for a law for the registration and return of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Spence: petition of J. S. Farrand, Moore, Foote & Co., David Preston, J. J. Bagley & Co., C. Hulbert, John Stephens, Chas. Root, W. H. Teft & Co., J. James & Son, McKenna & Radcliff, Beatty & Fitzsimons, H. Hallock & Co., Edward Orr, J. W. Tillman, Edward Lyon & Co., W. W. Wheaton, Evans & Walker, Heavenrich Brothers, Ducharme & Prentiss, Campbell, Linn & Co., G. & R. McMillan, Geo. Peck, Lyman Baldwin, S. Freedman & Bros., John Palmer, Stephen Smith, Duncan & Hanna, Wm. J. Waterman, Albert Ives, James W. Frisbee, M. S. Smith & Co., Wm. F. Copland, James E. Pittman, Chas. Fargo, T. A. Parker, J. J. Noyes, and one thousand nine hundred and thirty-four others, (1,934,) tax-payers of the city of Detroit, to authorize said city to grant aid in the construction of a railroad from Detroit to Howell and Lansing.

Referred to the committee on internal improvements.

By Mr. Fellows: memorial and resolutions of the district board of school officers in district No. 4, in the township of Schoolcraft, in the county of Kalamazoo.

Referred to the committee on banks and incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on printing:

The committee on printing, to whom was referred so much of resolutions passed by the House, as relates to printing the Governor's message in foreign languages, respectfully report that they have had the same under consideration, and have directed me to report as follows:

That we find any per centage for translation, added to the cost of printing in English, would operate unequally, in proportion to the number printed, for if a greater number be printed in one language than another, of course the per centage amounts to a larger sum, while the expense of translation is supposed to be the same, in either case.

We therefore recommend the passage of the following resolution:

*Resolved*, That there be printed and furnished the members and officers of this House, two thousand copies of the Governor's message in German, one thousand in Holland, and five hundred in French, and also five hundred additional copies in French, to be forwarded by the Secretary of State, to our agent at the Paris Exposition: *Provided*, That the expense of translating and publishing the same, shall not exceed twenty-five dollars, for each language, over and above the cost of a like number in English: *And provided, further*, That the several editions of the message be furnished the House within thirty days from and after the passage of this resolution.

R. P. AITKIN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Gallup,

The resolution reported by the committee was adopted.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred House bill, entitled

A bill to authorize the trustees of the First Society of the Methodist Episcopal Church, of the village of St. Joseph, Berrien county, to mortgage their church property for the purpose of completing their church edifice,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, for the reason that there is a general law of the State applicable to this case, and to all similar cases, to wit: Section two thousand and seventeen (2017) of the compiled laws, as amended by act No. 147, section 2, page 228, of the session laws of 1861. Your committee therefore ask to be discharged from the further consideration of the subject.

L. S. PARMELEE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Woodman,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 587, being section 95, of chapter twelve, of compiled laws, relative to the compensation of certain township officers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. H. Jones,

The House concurred in the amendment made to the bill by the committee

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to confirm the title of the Jackson, Lansing & Saginaw Railroad company, to the property, rights and franchises acquired by it of the Amboy, Lansing & Traverse Bay Railroad Company.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warner,

The rules were suspended, and the bill put upon its immediate passage.

The bill, being House bill, entitled

A bill to confirm the title of the Jackson, Lansing and Saginaw Railroad Company, to the property, rights and franchises acquired by it of the Amboy, Lansing and Traverse Bay Railroad Company,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Greenfield,	Mr. Schars,
Alexander,	Healy,	Sexton,
Barber,	Holt,	Shepherd,
Beall,	Howard,	Shetterly,
Boies,	Huckins,	C. C. Smith,
Bonine,	Jewell,	L. Smith,
Brownell,	J. H. Jones,	R. B. Smith,
A. S. Brown,	Kedzie,	Spence,
C. R. Brown,	Kingsbury,	Stannard,
Canniff,	McOutcheon,	Stevens,
Camburn,	McKernan,	Storrs,
Chauvin,	Mead,	Sweezy,
Corey,	Miles,	Swift,
Crossman,	Newcombe,	Tompkins,
Deane,	L. D. Osborn,	Upton,
Dunlap,	W. H. Osborn,	Van Vleet,
Dusseau,	F. Parsons,	Warner,
Eck,	S. T. Parsons,	Wilcox,
Emerson,	Parmelee,	Willard,
Emery,	• Pearl,	Woodward,
Fellews,	Randall,	Woodman,
Funston,	Robinson,	Speaker,
Glavin,		

67

#### NAYS.

Mr. Slayton, Mr. Wilson, 2

Title agreed to.

On motion of Mr. Warner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3786, chapter 117, of the compiled.

laws, in relation to transcripts of judgments rendered by justices of the peace,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to provide for the ascertaining and giving notice of the title of the lands of the heirs of deceased persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr Sweezey,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to repeal all existing laws, rules, and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counselor for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section two thousand seven hundred and thirty-one, of the compiled laws, relative to the acknowledgment of deeds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to repeal section 28, of the act to authorize the business of banking, approved February sixteenth, one thousand eight hundred and fifty-seven, (1857,) authorizing the appointment of bank note registers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*



Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Fellows gave notice that on some future day he would ask leave to introduce

A bill to authorize school district number four, of the township of Schoolcraft, in the county of Kalamazoo, to issue bonds.

Mr. Camburn gave notice that on some future day he would ask leave to introduce

A bill to authorize school district No. 1, of the township of Eureka, Montcalm county, to loan money to build a school house;

Also,

A bill to authorize said district to dispose of their present school house site, and to purchase a new one.

Mr. S. T. Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend section seventy-two, of chapter one hundred and nineteen, of the compiled laws.

Mr. Holt gave notice that on some future day he would ask leave to introduce

A bill to organize the township of Howard, in the county of Muskegon.

Mr. Sweezey asked to be excused from serving on the standing committee on geological survey.

On motion of Mr. Swift,

Mr. Sweezey was excused from serving on said committee.

Mr. Huckins offered the following:

*Resolved*, That hereafter, when leave of absence is asked for an indefinite time by members of this House, the reasons therefor shall be stated in such application.

On motion of Mr. Sweezey,

The resolution was laid on the table.

Mr. Camburn gave notice that on some future day he would ask leave to introduce

A bill to authorize the township board of the town of Eureka, Montcalm county, to issue bonds.

Mr. Pearl, previous notice having been given, and leave being granted, introduced

A bill to amend section 12, of chapter 47, of the revised statutes of 1846, being section 1614, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Boies, previous notice having been given, and leave being granted, introduced

A bill for the better promotion of the interests of agriculture, manufactures, and the mechanic arts.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Fellows, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number four, of the township of Schoolcraft, in the county of Kalamazoo, to issue bonds.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Warner, previous notice having been given, and leave being granted, introduced

Joint resolution relative to restoration.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. McOutcheon, previous notice having been given, and leave being granted, introduced

Joint resolution authorizing and requiring the Board of State Auditors to credit and allow certain claims for lands taken by the Michigan Southern Railroad.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Emerson, previous notice having been given, and leave being granted, introduced

Joint resolution asking the General Government of the

United States for an appropriation, in money, for the construction of a harbor at the mouth of the Ontonagon river.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill to amend section 3544, of the compiled laws, relating to proceedings in courts of Chancery, against absent, concealed and non-resident defendants.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill to amend section 3, of act No. 173, of session laws of 1863, being an act to amend an act to provide for the relief by counties, of the families of volunteers, mustered from this State into the military service of the United States, or of this State, approved May 4th, 1861, and to add certain sections thereto, approved January 17th, 1862.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. Warner, previous notice having been given, and leave being granted, introduced

Joint resolution requesting our Senators and Representatives in Congress to take such steps as shall be suitable and necessary to insure the passage of a bill by that body to secure the speedy construction of the Northern Pacific railroad and Telegraph line.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Warner,

Was referred to a select committee of five.

The Speaker appointed as such committee, Messrs. Warner, Hill, Miles, Jenness and Holt.

## GENERAL ORDER.

On motion of Mr. Sweezey,

The House went into committee of the whole, on the general order,

Mr. Boies in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 2, entitled

A bill to amend an act entitled an act to provide for the drainage of swamps, marshes and other low lands, approved March 15, 1861, by adding thereto a new section;

2. House bill No. 3, entitled

A bill to amend section 1282, of the compiled laws, relating to limited partnerships;

3. House bill No. 6, entitled

A bill to amend section two, of act number three hundred and fifty-six, of the session laws of 1865, entitled "an act to authorize the formation of corporations for literary and scientific purposes," approved March 21, 1865, so as to include missionary and other benevolent purposes;

4. House bill No. 9, entitled

A bill to enlarge the powers and duties of sheriffs, under and deputy sheriffs;

5. House bill No. 10, entitled

A bill to authorize school district number eight, of the township of Hudson, in the county of Lenawee, to borrow money for the purposes therein mentioned;

6. House bill No. 12, entitled

A bill to authorize the city of Battle Creek to borrow money for city purposes, and to issue its bonds for the payment of the same;

7. House bill No. 11, entitled

A bill to amend section 26, of act No. 32, of session laws of 1858, relative to the compensation of supervisors and assessors;

8. House bill No. 14, entitled

A bill to amend section two, of an act entitled an act for the relief of school districts; approved February 7, 1855, and to add two new sections thereto;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

9. House bill No. 4, entitled

A bill to authorize fractional school district No. 17, of the townships of Ann Arbor and Scio, in the county of Washtenaw, to borrow moneys to build a school house;

10. House bill No. 7, entitled

A bill to exempt disabled soldiers and sailors from highway labor, and the payment of a capitation or poll tax;

11. House bill No. 5, entitled

A bill to correct and legalize the assessment roll of the township of Ravenna, Muskegon county, for the year 1866, and to extend the time for the collection of the same;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh and eighth named bills were placed on the order of third reading.

On motion of Mr. Holt,

The amendments made to the ninth, tenth, and eleventh named bills, were concurred in, in gross, and the bills were placed on the order of third reading.

On motion of Mr. S. T. Parsons,

The House adjourned until Monday morning, at 10 o'clock.

*Lansing, Monday, January 14, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Mason and R. B. Smith.

Mr. Fellows asked and obtained leave of absence for Mr. Mason, until to-morrow morning.

Mr. C. O. Smith asked and obtained leave of absence for Mr. R. B. Smith, until to-morrow morning.

Mr. Wilcox asked and obtained leave of absence for himself, until Friday.

The Speaker announced the addition of Mr. Hill to the standing committee on geological survey, in consequence of Mr. Sweezy having been excused from service on said committee.

#### PRESENTATION OF PETITIONS.

By Mr. Holt: petition of Adna Egelston and 18 others, praying for an increase of the fees of county surveyors.

Referred to the committee on State affairs.

By Mr. Holt: memorial of the board of supervisors of Muskegon county, praying for an increase of the per diem compensation of members of boards of supervisors.

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on elections:

The committee on elections, to whom was referred the petition of William Congdon, praying to be admitted to the seat now occupied by Charles B. Chauvin, from the Second Representative district of Wayne County, respectfully report, that they have had the petition under consideration, and have heard the evidence, proofs, and allegations of the respective contestants, from which it appears that the whole number of votes given in said Representative District for Representative, was nine hundred and seventeen, of which number, the Honorable member

from said District, now occupying a seat in this House, received six hundred and twenty-four, and the petitioner received two hundred and eighty-eight votes, being a majority of three hundred and forty in favor of the Honorable member whose seat is contested by the petitioner. But it is claimed on the part of the petitioner that all the votes cast for him were legal and valid, while all but six of the votes cast for the member whose seat he contests, were so printed as not to *designate* the office to which the Honorable member from said District was intended to be chosen, and therefore, he, the petitioner, is legally entitled to the seat now occupied by said member. The law not only provides that "electors shall vote by ballot," but section forty-eight of the compiled laws, declares that "the ballot shall be a paper ticket, which shall contain written or printed, or partly written and partly printed, the names of all the persons for whom the elector intends to vote, and shall *designate* the office to which each person so named is intended to be chosen."

If the foregoing provisions of law have not been complied with, on the part of the electors who voted for the member whose seat is contested, and have been on the part of those voting for the petitioner, then the latter is legally entitled to the seat which he seeks to obtain; and if legally entitled to it, the Legislature, in the opinion of the majority of your committee, have no more legal right to deprive him of that seat, than the Supreme Court would have, in a like case, properly before it for adjudication, to deprive a county officer of an office to which he was legally elected. For though the Constitution confers upon each branch of the Legislature the right to judge or decide upon "the qualifications, elections and returns of its members," yet no one, we think, will claim that law is made for the government of individuals and courts, but not for the Legislature. Against such a position every well-informed mind must at once revolt, every friend of the Government must protest. If either branch of the Legislature can rightfully, in deciding upon the qualifications, elections and returns of its members, cast aside plain principles of law, then the party feelings and prejudices

of the majority will ere long have much to do, if not become the controlling influence in the decision of these questions, and the choice and wishes of electors, as well as the rights of their representatives, will be guarded only by a power too dangerous to be allowed even to influence in such cases. Such being the opinion of your committee, it has endeavored to be governed solely by the facts of the case and the laws applicable thereto, in the discharge of its duty, and after a careful examination and consideration thereof, your committee find:

That section three, article four, of the Constitution of this State provides, among other things, that "The House of Representatives shall consist of not less than sixty-four, nor more than one hundred, members;" and that "*Representatives* shall be chosen for two years and by single districts." Section five of the same article declares that "Senators and *Representatives* shall be citizens of the United States, and qualified electors in the respective counties and districts which they represent." Section thirty-four of the same article fixes the time when the election of Senators and *Representatives* shall be held. It will be observed from the foregoing, and also from many other provisions of the Constitution not above referred to, that the term "*Representatives*" is made use of not only to denote, but *designate*, members of this House. But your committee are not confined to the Constitution alone for authority. Section seventy-four, of the Compiled Laws provides, among other things, that "the several senatorial and representative district canvassers shall, when a county is divided for such purposes, also make a statement of the whole number of votes given in each Representative District for the *office* of Senator or Representative." Thus we find that the *office* to which a person must be elected before he is entitled to become a member of this House, is that of "*Representative*," and nothing more, in the opinion of a majority of your Committee, is necessary to "*designate*" the office of Representative than the term so frequently used in the Constitution and laws for that purpose. The term "*Representative*" "*designates*" an officer as absolutely and as perfectly as



the term "Governor"—the former denoting a member of this House, and the latter the chief Executive of the State.

It is true that the members of the House are elected by districts, and that when a county is divided into two or more Representative districts, each of such districts are numbered, but the boundaries of the several Representative districts are marked out and defined with as much accuracy as the boundaries of the State, and if any elector of any one of such Representative Districts, who at a general election casts his vote for any particular candidate for Governor, is entitled to have such vote counted, why should not the same or any other elector of the same district who casts his vote for a candidate for Representative, be entitled to the same privilege? If the vote cast for Governor is to be received and considered as a vote for the office of Governor of the State of Michigan, then the one cast for the office of Representative should also be received and considered as a vote for the office of Representative in the Legislature of the State of Michigan, and be returned and canvassed as such vote in the Representative District in which it was cast; for he who votes for a resident of his Representative District, for the office of Representative, votes for such person as a Representative for his particular district, as distinctly as the man who votes for a resident of the State for the office of Governor votes for such person to fill that office in and for the State in which such voter resides.

It may, however, be said that the office of a member of the House of Representatives of the United States, is also frequently termed that of Representative, and that as the nominees for State, Congressional, Senatorial, Representative, and County officers, are all voted for upon the same ticket or ballot, there ought to be something upon such ticket to show who was voted for as a Representative for the National, and who as a Representative for the State Legislature. Your committee would not seek to counteract such a position.

The ballot must contain not only "the names of all the persons for whom the elector intends to vote," but "shall designate

the office to which each person so named is intended to be chosen," and the ballot must furnish the evidence from which it may be determined, not only who is voted for, but the particular office which the voter intends each person so voted for to fill, and if a vote were cast for two different men and the offices of each designated only by the term representative, or in other words, if the ticket furnished no evidence from which it could be determined which of the two persons was intended to be voted for as a Representative in Congress, and which as a Representative in the State Legislature, then certainly such elector would have failed to "designate" the office with sufficient certainty for which he intended such persons to be chosen, and the vote for neither could legally be counted. But such a difficulty, your committee are of opinion, is more imaginary than real. By reference to section 106 of the compiled laws, we find that the office of a Representative in the Congress of the United States is termed "the office of Representative in Congress," and such is the language almost universally made use of, not only in our statutes but by the public at large, to "designate" that office, and the practice of thus designating the office of a member of the House of Representatives of the United States is so universal, and especially upon all ballots cast for that office, that none are printed in any other manner, and the only officer which we ever voted for whose office is expressly designated by our statutes by the term "Representative" and thus described and designated upon the ballot, is that held by a member of this House.

In view of these facts, the majority of your committee are of the opinion that not only the six votes which, from the evidence before your committee, appears to have been cast in the Second Representative District of the county of Wayne, at the last general election, for the honorable member now occupying a seat in this House from said District, which votes designated the office in the manner following, viz.: "For Representative in the State Legislature, 2d District," but also the six hundred and eighteen votes cast for said member, upon which the office is

designated in the manner following, viz.: "For Representative," were rightfully counted and allowed as legal votes for said member for the office which he now holds, and especially do the majority of your committee so believe and determine, from the fact that the aforesaid six hundred and eighteen ballots cast, as appears from a sample thereof now in the possession of your committee, appear to have been arranged and printed in four different divisions:

The first headed—"State Ticket;"

The second—"Congressional Ticket;"

The third—"Legislative Ticket;" and

The fourth—"County Ticket."

And from the further fact that the office of Representative in Congress is fully designated upon said ballots in the following manner, viz:

For Representative in Congress for the first Congressional District of Michigan." Which facts, taken together, dispel every reasonable doubt, clearly show and demonstrate, that the intention of the six hundred and eighteen electors who voted for the aforesaid member for the Second District of Wayne, voted for him for the office which he now holds, and also that in so voting, they clearly "designated" said office; and as the votes so cast and received (though few in number,) constitute a large majority of all the votes cast in said district for said office, the majority of your committee are of the opinion that the aforesaid member, whose seat is contested by the petitioner, is legally and justly entitled to occupy and retain the same.

The majority of your committee therefore report the petition back to the House, with the recommendation that the prayer thereof be not granted, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted.

The minority of the committee submitted the following report:

The undersigned, minority of the committee to whom was re-

ferred the petition of William Congdon, to be admitted to the seat in this House now occupied by Hon Charles B. Chauvin, from the Second Representative District of Wayne county, not being able to agree with the majority report of said committee, feel compelled to dissent therefrom, and from a sense of duty, respectfully submits the following minority report:

The facts in this case are undisputed and the questions involved in it are purely questions of law, and important only as such. This House has the constitutional right to judge of the qualifications and election of its members; but while thus passing upon these points in the case of a contested seat, I hold that it should be guided by the constitution and laws of the State; and the well settled rules of law, as determined by the courts, applicable to such cases, the same as a co-ordinate branch of the government, the judiciary is bound, when solemnly adjudicating upon subjects properly brought before it. This point, I believe, cannot be successfully controverted, and forms a safe starting point in the history of this case.

Section three, of article IV, of the constitution of Michigan, provides that Representatives shall be chosen by single districts, and that when any county is entitled to more than one Representative, the Board of Supervisors of said county shall divide the same into as many Representative Districts as said county is entitled to by law, specifying the number of each district, &c.

The county of Wayne is divided into five Representative Districts, numbering from one to five, respectively, and each district, except the first, is entitled to elect one Representative, and the sitting member, Mr. Chauvin, and the petitioner, William Congdon, each claim to be elected from the second district of said county.

Section 24, of chapter 6, consecutive section 48 of the compiled laws of 1857, which is the law governing the election in this case, reads as follows: "Section 24. The ballot shall be a paper ticket, which shall contain written or printed, or partly written and partly printed, the names of all the persons for whom the elector intends to vote, and shall designate the office

to which each person so named is intended to be chosen," &c. Now the facts as submitted to the committee are these: Mr. Chauvin received at the last general election held Nov. 6, 1866, about 600 votes upon printed paper tickets, copies of which were submitted to the committee, which were in these words and form, so far as relates to Representative, to-wit:

"LEGISLATIVE TICKET."

(Omitting Senator, which is not important here.)

"For Representative,

CHARLES B. CHAUVIN."

And that the petitioner, William Congdon, received at the same time, about 300 votes on printed paper tickets, which were in these words and form, to-wit:

"For Representative State Legislature, 2nd District,"

WILLIAM CONGDON."

That these votes, given for Mr. Congdon, were in conformity to the statute I have cited, no one can question. The office for which each elector thus voted, is clearly designated. The only remaining question then is, were those given for Mr. Chauvin in accordance with said law, and legal? The solution of this question disposes of this case. Can it be claimed that Legislative Ticket, For Representative, designates the office of Representative in State Legislature for the second district, without further description? Had there been but one district in Wayne county, it probably would have been sufficient. It is claimed that these votes were all cast in and canvassed for the second district of said county. I cannot see how these facts help the case. The county canvassers had no right to canvass votes that were not in accordance with the statute and illegal, and their acts in thus canvassing such votes and giving a certificate upon them, were illegal and void, and should be set aside by this House.

There are some authorities bearing upon this case which I propose to refer to. In the case of the People *ex. rel.* Attorney General, *vs.* Henry Tisdall, 1st Doug. Mich. R., page 59, which

was a contested election case for the office of Sheriff. The point in question was whether the Court could receive evidence of the intention of the electors as to the name of the person voted for, aside from the ballot itself. The Court said, in speaking of the duty of the canvassers: "In other words, the vote itself is the only thing which can be received and acted upon by them." And again, in the same case, the Court said: "Upon a review of the whole question, we are all of the opinion that neither the canvassers nor a jury, on the trial of an issue of fact from this Court to try the respondent's right to the office of Sheriff, could go behind the votes given at the ballot boxes to ascertain the intention of the voters." This being the law as to the name of the person voted for, I can see no reason why it does not apply with equal force to the case now before the House, where the question is as to the designation of the office for which the elector intended to vote. The above case was expressly affirmed by the Supreme Court in the contested election case of the People, *ex. rel.* Warner Lake, *vs.* Henry J. Higgins, for the office of Judge of Probate, reported in 3d Mich. R., page 233, so that it may be laid down as the well settled law of this State.

I respectfully submit, with all due respect to the very able opinion of the majority report in this case, the facts in the case, and the law applicable to them, clearly show that the only legal votes cast at said election, for Representative in the State Legislature from the Second District of Wayne county, were cast for the petitioner, William Congdon, and that he is entitled to the seat now occupied by Hon. Charles B. Chauvin. This may defeat, for the time being, the wish of the majority of the electors of said District, and in that respect it is much to be regretted. While I hold that a majority should govern, I at the same time maintain that to allow Mr. Chauvin to hold his seat would establish a dangerous precedent, and directly countenance a violation of a plain law of the State, and encourage a reprehensible looseness in the manner of electing members of the Legislature, and be productive of far more mischief to the peo-

pie of that District, and the State at large, than would the granting of the petition of Mr. Congdon.

I therefore offer the following resolution, as a substitute for the one offered by the majority of the committee:

*Resolved*, That the petition of William Congdon, asking for a seat in this House, as Representative from the Second District of Wayne county, be granted, and he be allowed to subscribe and take the constitutional oath of office, and take his seat as a member of this House.

MOSES B. HOPKINS.

*Report accepted.*

Mr. Warner moved that the recommendation contained in the report of the majority of the committee, be concurred in.

Mr. Wilson demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Greenfield,	Mr. Schars,
Alexander,	Healy,	Sexton,
Barber,	Holt,	Shepherd,
Beall,	Howard,	Shetterly,
Boies,	Huckins,	Slayton,
Bonine,	Jewell,	O. O. Smith,
Brownell,	J. H. Jones,	L. Smith,
A. S. Brown,	Kedzie,	Spence,
O. R. Brown,	Kingsbury,	Stannard,
Canniff,	McCutcheon,	Stevens,
Camburn,	McKernan,	Storrs,
Corey,	Mead,	Sweezey,
Crossman,	Miles,	Swift,
Deane,	Murray,	Tompkins,
Dunlap,	Newcombe,	Upton,
Dusseau,	L. D. Osborn,	Van Vleet,
Eck,	W. H. Osborn,	Warner,
Emerson,	Packard,	Wilcox,
Emery,	F. Parsons,	Willard,
Fellows,	S. T. Parsons,	Wilson,
Fenton,	Parmelee,	Woodward,
Funston,	Pearl,	Woodman,
Gallup,	Randall,	Speaker,
Glavin,	Robinson,	

#### NAYS.

On motion of Mr. L. Smith,

The minority report was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred a memorial and resolution of the district board of school district No. 4, in the township of Schoolcraft, in the county of Kalamazoo;

Also,

A bill to authorize school district No. 4, of the township of Schoolcraft, in the county of Kalamazoo, to issue bonds,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shetterly,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 10, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 1, entitled

A bill to authorize the public schools of the city of Adrian to borrow money and issue bonds for the purpose of constructing a central school building;

2. Senate bill No. 2, entitled



A bill to amend act No. 227, of the session laws of 1863, entitled an act to amend sections 1, 2, 4, 5, 6 and 9, of the revised statutes of 1846, being sections 5350, 5351, 5353, 5354, 5355 and 5358 of the compiled laws, touching the limitation of actions relating to real property, approved March 20, 1863;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, January 12, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, By the House of Representatives, (the Senate concurring,) That the action of the Congress of the United States, in promptly passing, over the President's veto, the bill annulling all distinction on account of color, in the exercise of the elective franchise in the District of Columbia, merits and receives the hearty and unqualified approval of this Legislature.

*Resolved*, (the Senate concurring,) That the Clerk of this House cause a copy of the foregoing resolution to be forwarded to each of the Senators and Representatives in Congress from this State;

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, January 10, 1867.

*To the Speaker of the House of Representatives:*

Sir—I am instructed by the Senate to transmit the following bill:

Senate bill No. 5, entitled

A bill to amend section six, of an act entitled an act to incorporate the city of Battle Creek, approved February 2d, eighteen hundred and fifty-nine, relative to the time of holding the annual election; \*

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Gallup gave notice that on some future day he would ask leave to introduce

A bill to amend section three hundred and sixty-four, of the compiled laws of 1857, relating to the compensation of the members of boards of supervisors.

Mr. Kingsbury gave notice that on some future day he would ask leave to introduce

A bill to vest title in the United States of America, in trust, of lands granted to the State of Michigan for railroad purposes and for other purposes.

Mr. Fenton gave notice that on some future day he would ask leave to introduce

Joint resolution calling the attention of Congress to the importance of fortifying the Island of Mackinaw, and the Sault

St Marie, in view of our unsatisfactory relations with England, and the Confederation of the British Provinces.

Mr. Healy gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Negaunee, under a special charter.

Mr. S. T. Parsons moved to discharge the committee of the whole from the further consideration of House bill No. 18, entitled

A bill to amend sections 11 and 13, of chapter 150, of the revised statutes of 1846, being sections 5647 and 5649 of the compiled laws;

Which motion prevailed.

On motion of Mr. S. T. Parsons,

The bill was recommitted to the committee on the judiciary.

Mr. Camburn gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Greenville, Montcalm county.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to amend sections 8 and 10, of chapter 12, being sections 500 and 504, of the compiled laws, so as to provide for the election of overseers of highways by ballot.

Mr. Dunlap gave notice that on some future day he would ask leave to introduce

A bill to change the name of Elmore Cassidy to that of Howard Horace Fife.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

Joint resolution asking Congress for an appropriation of money to improve Portage entry and river, in Houghton county.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend section 14, of act No. 60, of the session laws of 1863.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill to amend section 2726, of the compiled laws, relative to the conveyance of land.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Dusseau, previous notice having been given, and leave being granted, introduced

A bill to amend section 6, of chapter 27, of the revised statutes of 1846, being section 1103 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Camburn, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number 1, of the township of Eureka, to purchase a new or additional school house site, and to sell their present one.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Camburn, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number one, of the township of Eureka, in Montcalm county, to issue bonds for the purposes therein mentioned.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill to amend section 5654 of the compiled laws, relative to the fees of jurors.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Boies, previous notice having been given, and leave being granted, introduced

A bill to revise the charter of the village of Hudson.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

### THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 2, entitled

A bill to amend an act entitled an act to provide for the drainage of swamps, marshes and other low lands, approved March 15, 1861, by adding thereto a new section,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Glavin,	Mr. Robinson,
Alexander,	Greenfield,	Schars,
Barber,	Healy,	Sexton,
Beall,	Holt,	Shepherd,
Boies,	Howard,	Shetterly,
Bonine,	Huckins,	Slayton,
Brownell,	Jewell,	C. O. Smith,
A. S. Brown,	J. H. Jones,	L. Smith,
C. R. Brown,	Kedzie,	Spence,
Canniff,	Kingsbury,	Stannard,
Camburn,	McCutcheon,	Stevens,
Chauvin,	McKernan,	Storrs,
Corey,	Mead,	Sweezey,
Crossman,	Miles,	Swift,
Deane,	Murry,	Tompkins,
Dunlap,	Newcombe,	Upton,
Dusseau,	L. D. Osborn,	Van Vleet,
Eck,	W. H. Osborn,	Warner,
Emerson,	Packard,	Willard,
Emery,	F. Parsons,	Wilson,
Fellows,	S. T. Parsons,	Woodward,
Fenton,	Parmelee,	Woodman,
Funston,	Pearl,	Wright,
Gallup,	Randall,	Speaker,
	NAYS.	72
		0

Title agreed to.

On motion of Mr. Newcombe,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 3, entitled

A bill to amend section 1282, of the compiled laws, relating to limited partnerships,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Aitkin,	Mr. Glavin,	Mr. Robinson,
Alexander,	Greenfield,	Schars,
Barber,	Healy,	Sexton,
Beall,	Holt,	Shepherd,
Boies,	Howard,	Shetterly,
Bonine,	Huckins,	Slayton,
Brownell,	Jewell,	O. C. Smith,
A. S. Brown,	J. H. Jones,	L. Smith,
O. R. Brown,	Kedzie,	Spence,
Canniff,	Kingsbury,	Stannard,
Oamburn,	McCutcheon,	Stevens,
Chauvin,	McKernan,	Storrs,
Corey,	Mead,	Sweezy,
Crossman,	Miles,	Swift,
Deane,	Murray,	Tompkins,
Dunlap,	Newcombe,	Upton,
Dusseau,	L. D. Osborn,	Van Vleet,
Eck,	W. H. Osborn,	Warner,
Emerson,	Packard,	Willard,
Emery,	F. Parsons,	Wilson,
Fellows,	S. T. Parsons,	Woodward,
Fenton,	Parmelee,	Woodman,
Funston,	Pearl,	Wright,
Gallup,	Randall,	Speaker,

72

# NAYS.

0

Title agreed to

On motion of Mr. Mead,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 6, entitled

A bill to amend section two, of act number three hundred and fifty-six, of the session laws of 1865, entitled "an act to authorize the formation of corporations for literary and scien-

tific purposes," approved March 21, 1865, so as to include missionary and other benevolent purposes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Glavin,	Mr. Robinson,
Barber,	Greenfield,	Schars,
Beall,	Healy,	Sexton,
Boies,	Holt,	Shepherd,
Bonine,	Howard,	Shetterly,
Brownell,	Huckins,	Slayton,
A. S. Brown,	Jewell,	C. O. Smith,
C. R. Brown,	J. H. Jones,	L. Smith,
Canniff,	Kedzie,	Spence,
Camburn,	Kingsbury,	Stannard,
Chauvin,	McCutcheon,	Stevens,
Corey,	McKernan,	Storrs,
Crossman,	Mead,	Sweezey,
Deane,	Miles,	Swift,
Dunlap,	Murray,	Tompkins,
Dusseau,	Newcombe,	Upton,
Eck,	L. D. Osborn,	Van Vleet,
Emerson,	Packard,	Willard,
Emery,	F. Parsons,	Wilson,
Fellows,	S. T. Parsons,	Woodward,
Fenton,	Parmelee,	Woodman,
Funston,	Pearl,	Wright,
Gallup,	Randall,	Speaker,
	YEAS.	69
		0

Title agreed to.

On motion of Mr. Newcombe,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 9, entitled

A bill to enlarge the powers and duties of sheriffs, under and deputy sheriffs,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Glavin,	Mr. Robinson,
Alexander,	Greenfield,	Schars,
Barber,	Hawley,	Sexton,

Beall,	Holt,	Shepherd,	
Boies,	Howard,	Shetterly,	
Bonine,	Huckins,	Slayton,	
Brownell,	Jewell,	C. C. Smith,	
A. S. Brown,	J. H. Jones,	L. Smith,	
O. R. Brown,	Kedzie,	Spence,	
Canniff,	Kingsbury,	Stannard,	
Camburn,	McCutcheon,	Stevens,	
Chauvin,	McKernan,	Storrs,	
Corey,	Mead,	Sweezey,	
Croseman,	Miles,	Swift,	
Deane,	Murray,	Tompkins,	
Dunlap,	Newcombe,	Upton,	
Dusseau,	L. D. Osborn,	Van Vleet,	
Eck,	W. H. Osborn,	Willard,	
Emerson,	Packard,	Wilson,	
Emery,	F. Parsons,	Woodward,	
Fellows,	S. T. Parsons,	Woodman,	
Fenton,	Parmelee,	Wright,	
Funston,	Pearl,	Speaker,	
Gallup,	Randall,		71
	NAYS.		0

Title agreed to.

On motion of Mr. Gallup,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 10, entitled

A bill to authorize school district number eight, in the township of Hudson, in the county of Lenawee, to borrow money for the purposes therein mentioned,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Glavin,	Mr. Robinson,
Alexander,	Greenfield,	Shars,
Barber,	Healy,	Sexton,
Beall,	Holt,	Shepherd,
Boies,	Howard,	Shetterly,
Bonine,	Huckins,	Slayton,
Brownell,	Jewell,	C. C. Smith,
A. S. Brown,	J. H. Jones,	L. Smith,
O. R. Brown,	Kedzie,	Spence,
Canniff,	Kingsbury,	Stannard,



Camburn,	McOutcheon,	Stevens,
Chauvin,	McKernan,	Storrs,
Corey,	Mead,	Sweezey,
Crossman,	Miles,	Swift,
Deane,	Murray,	Tompkins,
Dunlap,	Newcombe,	Upton,
Dussean,	L. D. Osborn,	Van Vleet,
Eck,	W. H. Osborn,	Willard,
Emerson,	Packard,	Wilson,
Emery,	F. Parsons,	Woodward,
Fellows,	S. T. Parsons,	Woodman,
Fenton,	Parmelee,	Wright,
Funston,	Pearl,	Speaker,
Gallup,	Randall,	
	NAYS.	71
		0

Title agreed to.

On motion of Mr. Boies,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 12, entitled

A bill to authorize the city of Battle Creek to borrow money for city purposes, and to issue bonds for the payment of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Glavin,	Mr. Randall,
Alexander,	Greenfield,	Schars,
Barber,	Healy,	Sexton,
Beall,	Holt,	Shepherd,
Boies,	Howard,	Shetterly,
Bonine,	Huckins,	Slayton,
Brownell,	Jewell,	C. O. Smith,
A. S. Brown,	J. H. Jones,	L. Smith,
C. R. Brown,	Kedzie,	Spence,
Canniff,	Kingsbury,	Stannard,
Camburn,	McOutcheon,	Stevens,
Chauvin,	McKernan,	Storrs,
Corey,	Mead,	Sweezey,
Crossman,	Miles,	Swift,
Deane,	Murray,	Tompkins,
Dunlap,	Newcombe,	Upton,
Dussean,	L. D. Osborn,	Van Vleet,

Eck,	W. H. Osborn,	Willard,	
Emerson,	Packard,	Wilson,	
Emery,	F. Parsons,	Woodward,	
Fellows,	S. T. Parsons,	Woodman,	
Fenton,	Parmelee,	Wright,	
Funston,	Pearl,	Speaker,	70
Gallup,			
	NAYS.		0

Title agreed to.

On motion of Mr. Willard,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 11, entitled

A bill to amend section 26, of act No. 32, of session laws of 1858, relative to the compensation of supervisors and assessors,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Greenfield,	Mr. Robinson,	
Alexander,	Healy,	Schara,	
Barber,	Holt,	Sexton,	
Beall,	Howard,	Shepherd,	
Boies,	Huckins,	Shetterly,	
Bonine,	Jewell,	Slayton,	
Brownell,	J. H. Jones,	O. C. Smith,	
A. S. Brown,	Kedzie,	L. Smith,	
C. R. Brown,	Kingeby,	Spence,	
Canniff,	McCutcheon,	Stannard,	
Camburn,	McKernan,	Stevens,	
Chauvin,	Mead,	Storrs,	
Corey,	Miles,	Sweezey,	
Crossman,	Murray,	Swift,	
Deane,	Newcombe,	Tompkins,	
Dunlap,	L. D. Osborn,	Upton,	
Dusseau,	W. H. Osborn,	Van Vleet,	
Eck,	Packard,	Willard,	
Emerson,	L. Parsons,	Wilson,	
Emery,	S. T. Parsons,	Woodward,	
Fellows,	Parmelee,	Woodman,	
Fenton,	Pearl,	Wright,	
Funston,	Randall,	Speaker,	70
Gallup,			
	NAYS.		0

Title agreed to.

On motion of Mr. Woodman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 14, entitled

A bill to amend section two of an act entitled "an act for the relief of school districts," approved February 7, 1855, and to add two new sections thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Glavin,	Mr. Robinson,
Alexander,	Greenfield,	Shars,
Barber,	Healy,	Sexton,
Beall,	Holt,	Shepherd,
Boies,	Howard,	Shetterly,
Bonine,	Huckins,	Slayton,
Brownell,	Jewell,	C. O. Smith,
A. S. Brown,	J. H. Jones,	L. Smith,
O. R. Brown,	Kedzie,	Spence,
Oanniff,	Kingsbury,	Stannard,
Osburn,	McOutcheon,	Stevens,
Chauvin,	McKernan,	Storrs,
Corey,	Mead,	Sweezy,
Crossman,	Miles,	Swift,
Dean,	Murray,	Tompkins,
Dunlap,	Newcombe,	Upton,
Dusseau,	L. D. Osborn,	Van Fleet,
Eck,	W. H. Osborn,	Warner,
Emerson,	Packard,	Willard,
Emery,	F. Parsons,	Wilson,
Fellows,	S. T. Parsons,	Woodward,
Fenton,	Parmelee,	Woodman,
Funston,	Pearl,	Wright,
Gallup,	Randall,	Speaker,

72

NAYS.

0

Title agreed to.

On motion of Mr. Crossman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 5, entitled

A bill to correct and legalize the assessment roll of the township of Ravenna, Muskegon county, for the year 1866, and to extend the time for the collection of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Glavin,	Mr. Robinson,
Alexander,	Greenfield,	Schars,
Barber,	Healy,	Sexton,
Beall,	Holt,	Shepherd,
Boies,	Howard,	Shetterly,
Bonine,	Huckins,	Slayton,
Brownell,	Jewell,	C. O. Smith,
A. S. Brown,	J. H. Jones,	L. Smith,
C. R. Brown,	Kedzie,	Spence,
Canniff,	Kingsbury,	Stannard,
Camburn,	McCutcheon,	Stevens,
Chauvin,	McKernan,	Storrs,
Corey,	Mead,	Sweezey,
Crossman,	Miles,	Swift,
Deane,	Murray,	Tompkins,
Dunlap,	Newcombe,	Upton,
Dussean,	L. D. Osborn,	Van Vleet,
Eck,	W. H. Osborn,	Warner,
Emerson,	Packard,	Willard,
Emery,	F. Parsons,	Wilson,
Fellows,	S. T. Parsons,	Woodward,
Fenton,	Parmelee,	Woodman,
Funston,	Pearl,	Wright,
Gallup,	Randall,	Speaker,

72

## NAYS.

0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 7, entitled

A bill to exempt disabled soldiers and sailors from highway labor, and the payment of a capitation or poll tax;

Being under consideration,

Mr. Van Vleet asked and obtained the unanimous consent of

the House to amend the bill, by inserting after the words "by reason of," in the second line, the words "sickness or."

Mr. Newcombe asked and obtained the unanimous consent of the House to amend the bill by striking out of the first line the words "soldier or sailor being an," and inserting after word "State," in the second line, the words, "who served in the late war."

On motion of Mr. Woodman,

The bill was referred to the committee on State affairs.

House bill No. 4, entitled,

A bill to authorize fractional school district No. 17, of the townships of Ann Arbor and Scio, in the county of Washtenaw, to borrow money to build a school house,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Glavin,	Mr. Schars,
Alexander,	Greenfield,	Sexton,
Barber,	Healy,	Shepherd,
Beall,	Holt,	Shetterly,
Boles,	Howard,	Slayton,
Bonine,	Huckins,	C. C. Smith,
Brownell,	Jewell,	L. Smith,
A. S. Brown,	J. H. Jones,	Spence,
C. R. Brown,	Kedzie,	Stannard,
Canniff,	Kingsbury,	Stevens,
Camburn,	McCutcheon,	Storrs,
Chauvin,	McKernan,	Sweezy,
Corey,	Mead,	Swift,
Crossman,	Murray,	Tompkins,
Deane,	Newcombe,	Upton,
Dunlap,	L. D. Osborn,	Van Vleet,
Dusseau,	W. H. Osborn,	Warner,
Eck,	Packard,	Willard,
Emerson,	F. Parsons,	Wilson,
Emery,	S. T. Parsons,	Woodward,
Fellows,	Parmelee,	Woodman,
Fenton,	Pearl,	Wright,
Funston,	Randall,	Speaker,
Gallup,	Robinson,	

71

#### NAYS.

0

Title agreed to.

On motion of Mr. Corey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Woodman,

The House took a recess till two o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Kedzie asked and obtained leave of absence for Mr. O. R. Brown, until Tuesday morning.

Mr. Kedzie asked and obtained leave of absence for himself, on account of sickness.

GENERAL ORDER.

On motion of Mr. Boies,

The House went into committee of the whole, on the general order,

Mr. Sweezey in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 16, entitled

A bill to amend section 98, chapter 78, of the compiled laws, relative to primary schools;

2. House bill No. 18, entitled

A bill to provide for the payment of the officers and members of the Legislature, for the year eighteen hundred and sixty-seven;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

3. House bill No. 15, entitled

A bill to amend section sixty-three, of an act entitled "an act to incorporate the city of Battle Creek," approved February 3d, 1859, relating to the powers of the common council to levy and collect taxes;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

JAMES A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The amendments made to the first and second named bills were concurred in, and the several bills were placed on the order of third reading.

On motion of Mr. McKernan,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Tuesday, January 15, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. McIntire.

Roll called: quorum present.

#### PRESENTATION OF PETITIONS.

By Mr. McKernan: petition of R. J. Wood, agent of Albany and Boston Mines, and 16 other citizens, asking that the specific tax on copper and iron be remitted to the counties for another period of five years;

Also, petition of O. J. Foote, Thomas Jackson and 32 others, for the same purpose.

Referred to the committee on ways and means.

By Mr. Sweezy: petition of the township board, and 52 voters and tax-payers of the township of Hope, in the county of Barry, praying for the passage of an act to legalize the action of said township in voting to pay bounties to volunteers.

Referred to the committee on bounties.

By Mr. Schars: petition of Dr. Samuel A. Babbitt and **six** others, praying for the passage of a law providing for the registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Boies: petition of L. G. Hall, H. M. Boies, **James** DeGolyer, S. A. Eaton, R. M. Gillett, John Whitbeck and **214** others, citizens and tax-payers of the village of Hudson, for the passage of the bill to revise the charter of the village of Hudson;

Also, memorial of S. K. Pierson, President, P. Shumway, Recorder, and J. C. Hogaboom, John Bean, Wm. N. Bowers, B. Wright and H. M. Barlow, Trustees of said village, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Funston: petition of Albert Sperry and **106** others, asking an appropriation of swamp lands to aid in the construction of certain drains or ditches in the township of Berlin.

Referred to the committee on roads and bridges.

By Mr. W. G. Brown: remonstrance of certain freeholders of fractional union school district No. 1, of Parma, Sandstone, Spring Arbor and Concord, of the county of Jackson, against the Legislature giving authority to said district to issue bonds to build a school house.

Referred to the committee on banks and incorporations.

By Mr. Haven: petition of David W. Murray and **90** others, asking an appropriation for repairs on the Dover and Marshall road, running across sections 23, 24, 25 and 26, in the township of Lee.

Referred to the committee on roads and bridges.

By Mr. Haven: petition of P. E. McWithey and **42** others, asking for the passage of an act to refund moneys advanced or borrowed to pay volunteers.

Referred to the committee on bounties.

By Mr. Barber: petition of Justin Sawyer, John O. Pelton, R. F. Mackridge, and **204** others, citizens of Branch county,



praying for the passage of an act for the protection of fish, in the waters of said county.

Referred to the committee on State affairs.

By Mr. Mead: petition of Watson Loud, Seth L. Andrews and 6 others, physicians of Romeo, praying for the passage of a law providing for the registration of births, marriages and deaths.

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was recommended House bill No. 1, entitled

A bill for the laying out and altering highways upon the lines between cities, townships and villages,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section one, of an act entitled an act relative to laying out, altering and discontinuing highways, approved March 15, 1861,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Van Vleet,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend section six, of chapter 27, of the revised statutes of 1846, being section 1103 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred the special message of the Governor, transmitting a copy of a joint resolution passed by the General Assembly of the State of Vermont, asking an appropriation by Congress to endow female colleges in the several States, and inviting and urgently recommending the Legislatures of the several States to coöperate with that State in procuring from the Federal Government a grant of land for the aforesaid purpose,

Respectfully report that they have had the same under consideration, and have directed me to report to the House the accompanying joint resolution, entitled

Joint resolution asking an appropriation of lands by Congress to endow female colleges in the several States,

Recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize school district number one, of the township of Eureka, Montcalm county, to issue bonds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 5, entitled

A bill to amend section six, of an act to incorporate the city of Battle Creek, approved February third, eighteen hundred and fifty-nine, relating to the time of holding the annual election,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 1, entitled

A bill to authorize the public schools of the city of Adrian to borrow money and issue bonds for the purpose of constructing a central school building,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill for the better promotion of the interests of agriculture, manufactures and the mechanic arts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that it do pass, and ask to be discharged from the further consideration of the subject.

O. H. FELLOWS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to exempt disabled soldiers and sailors from highway labor, and the payment of a capitation or poll tax,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to exempt disabled soldiers and sailors from the payment of a capitation or poll tax,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. L. Smith,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Boies,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 2, entitled

A bill to amend act No. 227, of session laws of 1863, entitled "an act to amend sections 1, 2, 5, 6 and 9, of the revised statutes of 1846, being sections 5350, 5351, 5353, 5354, 5355 and 5358 of the compiled laws, touching the limitation of actions relating to real property," approved March 20th, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. T. PARSONS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The bill was laid on the table.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, January 14, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 6, entitled

A bill to authorize school district No. 7, of the township of Plainfield, in the county of Kent, to issue bonds for the purposes therein mentioned;

2. Senate bill No. 7, entitled

A bill to establish and organize school district number thirteen, in the township of Oshtemo, county of Kalamazoo, and State of Michigan;

3. Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Big Rapids, in the county of Mecosta, for the year one thousand eight hun-

dred and sixty-six, and to extend the time for the collection of the taxes therein;

4. Senate bill No. 11, entitled

A bill to authorize fractional school district number eight, of the townships of Antwerp and Porter, in the county of Van Buren, to organize a graded school, and to pledge the credit of said school district, for the purpose of building a union school house;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on education.

The third named bill was read a first and second time by its title, and referred to the committee on ways and means.

The fourth named bill was read a first and second time by its title, and

On motion of Mr. Woodman,

Was placed on the order of third reading.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Jan. 14, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (the Senate concurring,) That the Legislature of Michigan have full confidence in the patriotism, integrity and discretion of the Republican majority of the present Congress of the United States; that the subject of the impeachment of

the Chief Magistrate of the Nation is one of grave and solemn responsibility, which the National Constitution has devolved upon Congress, and in regard to which this Legislature, at the present time, is neither inclined to advise our Representatives, or instruct our Senators, but only to ask of them a prudent, fearless, and conscientious discharge of their duty;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The message was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Warner gave notice that on some future day he would ask leave to introduce

A bill to further amend an act entitled "an act to provide for the construction of train railways."

Mr. Tompkins gave notice that on some future day he would ask leave to introduce

A bill to confirm the title of the Northern Central Michigan Railroad company to the property, rights and franchises acquired by it of the Amboy, Lansing and Traverse Bay Railroad company;

Also,

A bill to authorize any of the townships, cities and villages of the counties of Ingham, Eaton, Jackson, Calhoun and Hillsdale, to pledge their credit to aid in the construction of the Northern Central Michigan railroad.

Mr. Randall gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the townships of Tekonsha and Burlington, Calhoun county, in voting to aid in the construction of a railroad from some point at or near Port Huron, to the Indiana State line, on the route deemed most eligible, to Chicago, in the State of Illinois.

Mr. Woodward gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of trustees of fractional school district No. 7, of Brooklyn and Columbia, in Jackson county, to borrow money to repair the school-house in said district.

Mr. Howard gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the electors of the township of Florence, in the county of St. Joseph, in raising bounties for volunteers.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to authorize school district No. 2, of Superior, to raise money to build a school-house.

Mr. Willard offered the following:

*Resolved*, That the committee on military affairs be instructed to inquire and report, at some future time, to this House, whether, in their opinion, it be advisable for the State of Michigan to take any immediate measures for the relief and education of the destitute children of such citizens of the State as may have fallen in the military or naval service of their country, and also whether it be expedient to establish an Orphan's Home for such children;

Which was adopted.

Mr. Sweezey, previous notice having been given, and leave being granted, introduced

A bill to amend section 17, of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, being section 3427 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gallup, previous notice having been given, and leave being granted, introduced

A bill to amend section 364, of the compiled laws of 1857, relating to the compensation of boards of supervisors.



The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Kingsbury, previous notice have been given, and leave being granted, introduced

A bill to vest title in the United States of America, in trust, of lands granted to the State of Michigan for railroad purposes, and for other purposes

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Hill, previous notice having been given, and leave being granted, introduced

Joint resolution asking of Congress a grant of lands to the State to aid in deepening the channel of navigation between Lake Superior and Eagle Harbor, in the county of Keweenaw.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. L. Smith, previous notice having been given, and leave being granted, introduced

A bill to replat a portion of the village of St. Louis, and to authorize the recording of the same.

The bill was read a first and second time by its title, and,  
On motion of Mr. L. Smith,

Was placed on the order of third reading.

Mr. Locke gave notice that on some future day he would ask leave to introduce

A bill to enable certain townships in the counties of Ingham Shiawassee and Genesee, to raise money by tax to aid in the construction of the Port Huron and Lake Michigan railroad.

Mr. Fellows gave notice that on some future day he would ask leave to introduce

A bill to authorize the promotion of corporations for building, owning and controlling warehouses, for the storage of grain and other commodities.

Mr. Mead offered the following:

*Resolved*, That the committee on the judiciary, be and they

are hereby authorized to employ a clerk for the residue of the present session;

Which was adopted.

Mr. Crossman offered the following:

*Resolved*, That the standing committee of this House on rules and joint rules, be hereby directed to report for the consideration of the House, a complete set of new rules;

Which was not adopted.

### THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 15, entitled

A bill to amend section 63, of an act entitled "an act to incorporate the City of Battle Creek," approved February 3d, 1859, relating to the powers of the common council to levy and collect taxes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Aitkin,	Mr. Haven,	Mr. Schars,
Alexander,	Hawley,	Sexton,
Barber,	Healy,	Shepherd,
Beall,	Hill,	Shetterly,
Boies,	Holt,	Slayton,
Bonine,	Howard,	C. C. Smith,
Brownell,	Huckins,	L. Smith,
A. S. Brown,	Jenness,	R. B. Smith,
C. R. Brown,	Jewell,	E. Spalding,
W. G. Brown,	J. H. Jones,	P. S. Spaulding,
Canniff,	Kingsbury,	Spence,
Camburn,	Locke,	Stannard,
Chauvin,	McCutcheon,	Stevens,
Corey,	McKernan,	Storrs,
Crossman,	Mead,	Swezey,
Deane,	Miles,	Swift,
Dunlap,	Murray,	Tompkins,
Dusseau,	Newcombe,	Upton,
Eck,	L. D. Osborn,	Van Vleet,
Emerson,	W. H. Osborn,	Warner,
Emery,	Packard,	White,
Fellows,	F. Parsons,	Willard,
Fenton,	S. T. Parsons,	Wilson,
Funston,	Parmelee,	Woodward,

Gallup,  
Glavin,  
Greenfield,

Pearl,  
Randall,  
Robinson,

Woodman,  
Wright,  
Speaker, 81

NAYS.

0

Title agreed to.

On motion of Mr. Willard,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 16, entitled

A bill to amend section 98, chapter 78, of the compiled laws, relative to primary schools,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,  
Alexander,  
Barber,  
Beall,  
Boies,  
Boniae,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
W. G. Boown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Emerson,  
Fellows,  
Fenton,  
Funston,  
Gallup,  
Glavin,  
Greenfield,  
Hawley,

Mr. Healy,  
Hill,  
Holt,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
Kingsbury,  
Locke,  
McCutcheon,  
McKernan,  
Mead,  
Miles,  
Murray,  
Newcombe,  
L. D. Osborn,  
W. H. Osborn,  
Packard,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,  
Randall,  
Robinson,  
Schars,

Mr. Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Sweezey,  
Swift,  
Tompkins,  
Upton,  
Van Vleet,  
Warner,  
White,  
Willard,  
Wilson,  
Woodward,  
Woodman,  
Wright,  
Speaker,

79

NAYS.

0

Title agreed to.

House bill No. 18, entitled

A bill to provide for the payment of the officers and members of the Legislature, for the year eighteen hundred and sixty-seven,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Sexton,
Alexander,	Healy,	Shepherd,
Barber,	Hill,	Shetterly,
Beall,	Holt,	Slayton,
Boies,	Howard,	O. C. Smith,
Bonine,	Huckins,	L. Smith,
Brownell,	Jenness,	R. B. Smith,
A. S. Brown,	Jewell,	E. Spalding,
O. R. Brown,	J. H. Jones,	P. S. Spaulding,
W. G. Brown,	Kingsbury,	Spence,
Canniff,	Locke,	Stannard,
Camburn,	McOutcheon,	Stevens,
Chauvin,	McKernan,	Storrs,
Corey,	Mead,	Sweezy,
Crossman,	Miles,	Swift,
Deane,	Murray,	Tompkins,
Dunlap,	Newcombe,	Upton,
Dusseau,	L. D. Osborn,	Van Vleet,
Eck,	W. H. Osborn,	Warner,
Emerson,	Packard,	White,
Fellows,	F. Parsons,	Willard,
Fenton,	S. T. Parsons,	Wilson,
Funston,	Parmelee,	Woodward,
Gallup,	Pearl,	Woodman,
Glavin,	Randall,	Wright,
Greenfield,	Robinson,	Speaker,
Haven,	Schars,	

80

NAYS.

0

Title agreed to.

On motion of Mr. Warner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Woodman,

The rule requiring the second and third reading of bills to

be on different days was suspended, and the other bills on the order of third reading were put upon their passage.

Senate bill No. 11, entitled

A bill to authorize fractional school district No. 8, of the townships of Antwerp and Porter, in the county of Van Buren, to organize a graded school, and to pledge the credit of said school district, for the purpose of building a union school house,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Sexton,
Alexander,	Healy,	Shepherd,
Barber,	Hill,	Shetterly,
Beall,	Holt,	Slayton,
Boies,	Howard,	C. C. Smith,
Bonine,	Huckins,	L. Smith,
Brownell,	Jenness,	R. B. Smith,
A. S. Brown,	Jewell,	E. Spalding,
C. B. Brown,	J. H. Jones,	P. S. Spaulding,
W. G. Brown,	Kingsbury,	Spence,
Canniff,	Locke,	Stannard,
Camburn,	McOutcheon,	Stevens,
Chauvin,	McKernan,	Storrs,
Corey,	Mead,	Sweezey,
Crossman,	Miles,	Swift,
Deane,	Murray,	Tompkins,
Dunlap,	Newcombe,	Upton,
Dusseau,	L. D. Osborn,	Van Vleet,
Eck,	W. H. Osborn,	Warner,
Emerson,	Packard,	White,
Fellows,	F. Parsons,	Willard,
Fenton,	S. T. Parsons,	Wilson,
Funston,	Parmelee,	Woodward,
Gallup,	Randall,	Woodman,
Glavin,	Robinson,	Wright,
Greenfield,	Schars,	Speaker,
Haven,		

79

NAYS.

0

Title agreed to.

On motion of Mr. A. S. Brown,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

▲ bill to re-plat a portion of the village of St. Louis, and to authorize the recording of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Sexton,
Alexander,	Holt,	Shepherd,
Barber,	Howard,	Shetterly,
Beall,	Huckins,	Slayton,
Boies,	Jenness,	C. C. Smith,
Bonine,	Jewell,	L. Smith,
A. S. Brown,	J. H. Jones,	R. B. Smith,
C. R. Brown,	Kingsbury,	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Canniff,	McCutcheon,	Spence,
Camburn,	McKernan,	Stannard,
Chauvin,	Mead,	Stevens,
Corey,	Miles,	Storrs,
Crossman,	Murray,	Sweezey,
Dunlap,	Newcombe,	Swift,
Eck,	L. D. Osborn,	Tompkins,
Emerson,	W. H. Osborn,	Upton,
Fellows,	Packard,	Van Vleet,
Fenton,	F. Parsons,	Warner,
Funston,	S. T. Parsons,	Willard,
Gallup,	Parmelee,	Wilson,
Glavin,	Pearl,	Woodward,
Greenfield,	Randall,	Woodman,
Haven,	Robinson,	Wright,
Hawley,	Schars,	Speaker,
Healy,		

76

NAYS.

Mr. White,

1

Title agreed to.

On motion of Mr. L. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Randall moved that the House do now adjourn;

Which motion did not prevail.

## GENERAL ORDER.

On motion of Mr. Jewell,

The House went into committee of the whole, on the general order,

Mr. S. T. Parsons in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 8, entitled

A bill to provide for the incorporation of churches of Christ;

And report the same back to the House, with the recommendation that it be re-committed to the committee on religious and benevolent societies.

S. TITUS PARSONS, *Chairman.*

Report accepted.

On motion of Mr. Walker,

The recommendations of the committee were concurred in, and the bill was recommitted to the committee on religious and benevolent societies.

On motion of Mr. Holt,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Wednesday, January 16, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Brownell, McKernan, Emerson, Hopkins and Wiley.

Mr. Emery asked and obtained leave of absence for Mr. Brownell, for an indefinite time.

Mr. Fenton asked and obtained leave of absence for Mr. McKernan, until Friday morning.

Mr. Fenton asked and obtained leave of absence for Mr. Emerson, until Friday morning.

Mr. Warner asked and obtained leave of absence for Mr. Wiley, for an indefinite time, on account of sickness.

Mr. Slayton asked and obtained leave of absence for Mr. Hopkins, until to-morrow morning.

The Speaker announced the following:

UNITED STATES LAND OFFICE, }  
Detroit, Mich., Jan. 14, 1867. }

*To the Honorable the Speaker of the House of Representatives,  
Lansing, Michigan:*

SIR—I am in receipt of a letter of the Clerk of the House, transmitting to me a concurrent resolution adopted by the Honorable Senate and House of Representatives of the State of Michigan, in which I am requested to furnish for the use of the Legislature, a report of the resources of, and inducements to immigration to the new counties of my district. Thanking through you, both Honorable bodies, for the mark of confidence they have by their action bestowed upon me, I beg you to submit for the information of the House and Senate, my reply to the resolution in question. On the 24th day of July, the Hon. James M. Edmunds, late Commissioner of the General Land Office, at Washington, D. C., directed me to furnish to the department a full statistical report of the resources of the State, and its general industrial interests, and I have ever since the receipt of this order, diligently sought to gather such statistics as desired, but believing that it might be of some interest for the State at large to take a wider range of observations than directed, I have done so, and am still engaged in the work, which cannot, however, be finished before spring, and when completed must, by the rules of the department, be submitted to the Commissioner of the General Land Office. I have no doubt, however, that the department will permit me to comply with your request to communicate it to the Legislature of the State, and if your Honorable bodies should then have adjourned, I shall direct the same to his Excellency, the Governor. I



might in this connection mention that I will also transmit copies thereof to leading newspapers in Germany.

Very respectfully, your obt. servt.,

ARNOLD KAICHEN,

*Register.*

The communication was laid on the table.

PRESENTATION OF PETITIONS.

By Mr. Kedzie: petition of H. B. Shank, I. H. Bartholomew, G. E. Ranney and others, for the registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. L. Smith: petition of J. F. Rust and many others, from Saginaw county, asking for an appropriation to aid in constructing a State road from Stanton, in Montcalm county, to St. Charles, in Saginaw county;

Also, petition of John F. Rust and 14 others, for the same purpose;

Also, petition of F. Ackley and others, for the same purpose;

Also, petition of J. T. Symes and 7 others, for the same purpose;

Also, petition of R. S. Thomas and 4 others, for the same purpose;

Also, petition of R. F. Price and 14 others, for the same purpose;

Also, petition of J. P. Hunt and 6 others, for the same purpose;

Also, petition of A. Stewart and many others, for the same purpose.

Referred to the committee on public lands.

By Mr. Gallup: petition of Rev. Emil Baur and 13 others, asking a confirmation of title to certain lands.

Referred to the committee on immigration.

By Mr. Spence: petition of John J. Bagley & Co. and 62 others, business men and firms of the city of Detroit, for the enactment of a law to define the responsibility of railroad companies in losses by fire;

Also, the petition of E. O. Grosvenor & Co. and 92 others, of Jonesville, for the same purpose;

Also, petition of Dewey & Stewart and 57 others, of Owosso, for the same purpose;

Also, petition of A. B. Cook and 77 others, of the city of Marshall, for the same purpose;

Also, petition of H. Eastman and 85 others, of the city of Niles, for the same purpose;

Also, petition of Babcock, Cobb & Co. and 65 others, of Kalamazoo, for the same purpose;

Also, petition of T. B. Skinner & Co. and 52 others, of the city of Battle Creek, for the same purpose;

Also, petition of Moses W. Field & Co. and 85 others, of the Board of Trade of the city of Detroit, for the same purpose.

Referred to the committee on the judiciary.

By Mr. Walker: petition of James W. Purcell, to be reimbursed for expenses incurred in recruiting 40 men for the 27th Michigan infantry.

Referred to the committee on bounties.

By Mr. L. Smith: memorial of H. L. Holcomb and others, asking that the action of fractional school districts No. 4 and 1, of Pine River and Bethany, in Gratiot county, in voting a certain tax, be legalized.

Referred to the committee on the judiciary.

By Mr. Jenness: petition of D. A. Post, J. Tripp, W. G. Cox and 8 others, of the city of Ypsilanti, praying for the registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Fellows: remonstrance of Austin Buell and 27 others, against organizing school district No. 13, in the township of Oshtemo, in the county of Kalamazoo;

Also, remonstrance of George E. Halfield, J. J. Lusk and Isaac S. Deán, school inspectors of the township of Oshtemo, for the same purpose.

Referred to the committee on education.

By Mr. S. T. Parsons: memorial of Wm. Jennison, State reporter, relative to the salary of that office.

Referred to the committee on ways and means.

By Mr. Huckins: memorial of Henry S. Robison, Frank Kre-mar, Charles M. Lum and 9 others, members of the military companies of Detroit, in reference to the organization of the State troops.

Referred to the committee on military affairs.

By Mr. Ball: petition of Roswell Barnes and others, asking that so much of act 124, of session laws of 1861, as amends section 4339 of compiled laws, making parties witnesses in criminal courts, be repealed.

Referred to the committee on the judiciary.

By Mr. Ball: petition of H. C. House and others, asking a law to protect cheese and butter manufactories against adulterated milk.

Referred to the committee on State affairs.

By Mr. White: petition of Norman Clark and others, of the town of Superior, Washtenaw county, asking authority to raise money for building a school house in school district No. 2, of said town.

Referred to the committee on local taxation.

#### REPORTS OF STANDING COMMITTEES.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of the highway commissioners of the township of Rockland, Ontonagon county, praying that the tax roll of said township for the year eighteen hundred and sixty-six be legalized,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to legalize the tax roll of the township of Rockland, Ontonagon county, for the year eighteen hundred and sixty-six,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 12, of chapter 47, of the revised statutes of 1846, being section 1614 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pearl,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was recommitted

A bill to amend sections eleven and thirteen, of chapter one hundred and fifty, of the revised statutes of A. D. 1846, the same being sections 5647 and 5649 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. S. T. Parsons,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section seventeen, of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8th, 1851, being section 3427 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred,

A bill to amend section 3544 of the compiled laws, relating to proceedings in courts of chancery against absent, concealed, and non-resident defendants,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled "an act to establish a police government for the city of Detroit," and to add two new sections thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 6, entitled.

A bill to authorize school district No. 7, of the township of Plainfield, in the county of Kent, to issue bonds for the purposes therein mentioned,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend act No. 60, of the session laws of 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution to protect the fisheries of the State in the Upper Peninsula, to the people of the State and of the United States,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the joint resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. E. MICKLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the amendments made to the joint resolution by the committee.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 15, 1867. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following entitled bill:

Senate bill No. 9, entitled

A bill relative to recording deeds, mortgages and instruments of record;

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, January 15, 1865.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 12, entitled

A bill to provide for the purchase, preparation and care of the Antietam National Cemetery, at Sharpsburg, in the State of Maryland,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, January 15, 1865.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate joint resolution No. 2, entitled

Joint resolution ratifying the proposed amendment to the constitution.



Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Mead,

The rules were suspended, and the joint resolution put upon its immediate passage.

The joint resolution, being Senate joint resolution No. 2, entitled

Joint resolution ratifying the proposed amendment to the Constitution,

Was read a third time, and, pending the taking the vote on the passage thereof,

Mr. Mead asked and obtained the unanimous consent of the House, to amend the joint resolution, by adding to the end thereof the words, "and that he transmit a like copy to the Secretary of State of the United States."

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Jenness,	Mr. Schars,
Ball,	Jewell,	Shepherd,
Barber,	J. H. Jones,	Slayton,
Beall,	R. Jones,	L. Smith,
Boies,	Kedzie,	R. B. Smith,
Bonine,	Kingsbury,	E. Spaulding,
A. S. Brown,	Locke,	P. S. Spaulding
C. R. Brown,	Lockwood,	Spence,
W. G. Brown,	Lovell,	Stannard,
Canniff,	Mason,	Stevens,
Oamburn,	McCutcheon,	Storrs,
Crossman,	Mead,	Sweezy,
Deane,	Mickley,	Swift,
Dunlap,	Miles,	Taylor,
Eck,	Murray,	Tompkins,

Emery,	Newcombe,	Upton,
Fellows,	L. D. Osborn,	Van Vleet,
Funston,	W. H. Osborn,	Walker,
Gallup,	Packard,	P. Dean Warner,
Glavin,	F. Parsons,	Wm. Warner,
Greenfield,	S. T. Parsons,	Wells,
Haven,	Parmelee,	White,
Hill,	Pearl,	Willard,
Holt,	Randall,	Woodward,
Howard,	Robinson,	Woodman,
Huckins,	Rockwood,	

77

## NAYS.

Mr. Alexander,	Mr. Fenton,	Mr. Sexton,
Benedict,	Grier,	Shetterly,
Chanvin,	Hawley,	C. C. Smith,
Corey,	Healy,	Wilson,
Dusseau,	Newell,	Wright,

15

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to amend section 4, of act 348, of session laws of A. D. 1865, in relation to jurors.

Mr. Newcombe offered the following:

*Resolved,* (The Senate concurring,) That the Sergeant-at-arms of this House be instructed to cause a suitable flag-staff to be erected on or near the cupola of this building, and to cause a United States flag, of suitable quality and proportions, to be constantly flying therefrom, between the hours of sunrise and sunset, Sundays excepted, while the Legislature shall continue in session.

Laid on the table for one day, under the rules.

Mr. L. Smith gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of fractional school districts Nos. four and one, of Pine River and Bethany, of Gratiot county, in voting a certain tax for building a school-house, at their annual school meeting in 1866.

Mr. F. Parsons gave notice that on some future day he would ask leave to introduce

A bill to replat a part of the village of Burr Oak and record the same.

Mr. Robinson moved that the committee of the whole be discharged from the further consideration of Senate bill No. 1, entitled

A bill to authorize the public schools of the city of Adrian to borrow money and issue bonds for the purpose of constructing a central school building;

Which motion prevailed.

On motion of Mr. Robinson,

The bill was placed on the order of third reading.

Mr. Woodward gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Brooklyn, Jackson county, to raise money, by tax, to pay Walker B. Sherman, George P. Cook and Ira Wildman, for money advanced to said township, to aid in obtaining volunteers.

Mr. Pearl gave notice that on some future day he would ask leave to introduce

A bill to amend sections 994 and 2265, of compiled laws.

Mr. Grier gave notice that on some future day he would ask leave to introduce

A bill to authorize any of the townships, cities and villages of the counties of Lapeer, Tuscola and Bay, to pledge their credit to aid in the construction of a railroad from some point in the village of Lapeer, to some point in Bay City.

Mr. Redzie, previous notice having been given, and leave being granted, introduced

A bill to incorporate the Central Michigan Agricultural Society.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Shetterly, previous notice having been given, and leave being granted, introduced

A bill to provide for the registration and return of births, marriages and deaths.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Howard, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the electors of the township of Florence, county of St. Joseph, in raising bounties for volunteers.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. Fellows, previous notice having been given, and leave being granted, introduced

A bill to provide for the incorporation of associations for the purpose of constructing, owning and controlling warehouses for the storage of grain and other commodities.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. McCutcheon, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 38, of the session laws of 1865, entitled an act to amend section 579 of the compiled laws, requiring overseers of highways to give bonds.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Warner, previous notice having been given, and leave being granted, introduced

A bill further to amend an act entitled an act to provide for the construction of train railways. ●

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Swezey, previous notice having been given, and leave being granted, introduced

A bill to authorize and require the supervisor of the township of Hope, in the county of Barry, to assess, levy and authorize the collection of a tax in said township, to refund the sum of seven hundred dollars raised and advanced by the inhabitants of said township to pay bounties to volunteers.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. Dunlap, previous notice having been given, and leave being granted, introduced

A bill to change the name of Elmon Cassidy, to Howard Homer Fife.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Crossman, unanimous consent being given, introduced

A bill to provide for the erection of a monument to the memory of the Michigan soldiers and sailors, who lost their lives in the war of the late rebellion, together with a suitable building in which to preserve the records, ensigns, and trophies of the war.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. E. Spalding gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to amend sections one, six, twelve and fifteen, of act numbered 262, of the session laws of 1859, entitled an act for the incorporation of insurance companies, and defining their powers and duties, approved March 20th, 1865.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to amend section 4, of title 4, of "an act to revise the charter of the city of Lansing," approved March 17, 1865.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend section one of act numbered two hundred and eighty eight, of the laws of 1865, entitled an act to authorize the formation of mechanics' and laboring men's co-operative associations, approved March 20, 1865, and also to amend the title of said act;

Also,

A bill to amend act No. 135, of the session laws of 1861, approved March 12, 1864, in regard to a register of probate for Wayne county.

Mr. Randall gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 247, of session laws of eighteen hundred and sixty-five, relative to repairs of bridges by highway commissioners.

Mr. Fenton gave notice that on some future day he would ask leave to introduce

A bill to amend section 18, of an act entitled an act to amend sections 16, 18, 21 and 22, of chapter 18, of the compiled laws, relative to hawkers and peddlers, approved March 20, 1865.

Mr. Taylor gave notice that on some future day he would ask leave to introduce

A bill to provide for the drainage and reclamation of swamp lands, by lowering the bed of the south branch of Swan Creek, in the township of Richland, in Saginaw county.

Mr. R. B. Smith gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Lyons, Ionia county.

Mr. L. Smith gave notice that on some future day he would ask leave to introduce

A bill to authorize the construction of a State road from Stanton, in Montcalm county, to St. Charles, in Saginaw county, and making an appropriation therefor.

Mr. Newcombe offered the following:

*Resolved*, (The Senate concurring.) That the Secretary of State be and he is hereby authorized to cause a United States flag, of suitable quality and proportions, to be suspended on the buildings occupied by the State offices, daily, during the session of the Legislature, Sundays excepted, and at other times according to the usual custom.

Laid on the table for one day, under the rules.

Mr. Newcombe gave notice that on some future day he would ask leave to introduce

A bill to provide for the relief of the widows and orphan children of officers, soldiers, sailors and mariners, who served in the United States army, navy or marine corps during the late war, by an equalization of the State bounty to volunteers.

THIRD READING OF BILLS AND RESOLUTIONS

Senate bill No. 1, entitled

A bill to authorize the public schools of the city of Adrian to borrow money and issue bonds for the purpose of constructing a central school building,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Rockwood,
Alexander,	Howard,	Schars,
Ball,	Huckins,	Sexton,
Barber,	Jenness,	Shepherd,
Beall,	Jewell,	Smetterly,
Benedict,	J. H. Jones,	Slayton,
Boies,	R. Jones,	L. Smith,
Bonine,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
C. R. Brown,	Locke,	P. S. Spaulding,
W. G. Brown,	Lockwood,	Spence,
Canniff,	Lovell,	Stannard,
Camburn,	Mason,	Stevens,
Chauvin,	McCutcheon,	Storrs,
Corey,	Mead,	Sweezey,
Crossman,	Mickley,	Swift,
Deane,	Miles,	Taylor,
Dunlap,	Murray,	Tompkins,
Dusseau,	Newcombe,	Upton,
Eck,	Newell,	Van Vleet,
Emery,	L. D. Osborn,	Walker,
Fellows,	W. H. Osborn,	Wells,
Fenton,	Packard,	White,
Funston,	F. Parsons,	Willard,
Gallup,	S. T. Parsons,	Wilson,
Greenfield,	Parmelee,	Woodward,
Grier,	Pearl,	Woodman,
Haven,	Randall,	Wright,
Healy,	Robinson,	Speaker,

87

NAYS.

Mr. Hawley,

1

Title agreed to.

On motion of Mr. S. T. Parsons,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

GENERAL ORDER.

On motion of Mr. Woodman,

The House went into committee of the whole, on the general order,

Mr. Walker in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 17, entitled

A bill to amend section three thousand one hundred and nineteen, of the compiled laws, so as to make certain equitable interests in lands liable to levy and sale on execution;

2. House bill No. 30, entitled

A bill to amend Sec. 587, being Sec. 95, of chapter 12, of compiled laws, relative to the compensation of certain township officers;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

3. House bill No. 19, entitled

A bill to amend sections one and nine, of chapter 139, of the revised statutes of 1846, being sections 5850 and 5858 of the compiled laws, touching the limitations of actions relating to real property, as amended by act No. 227, of the session laws of 1863.

4. House bill No. 20, entitled

A bill to attach certain unorganized towns to the township of Helena, Antrim county;

5. House bill No. 24, entitled



A bill to authorize (graded) school district number eight, of the township of Ingham, in the county of Ingham, to borrow money for the purposes therein mentioned;

6. House bill No. 25, entitled

A bill to amend section 10, of act No. 188, of session laws of 1861, entitled an act to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture;

7. House bill No. 23, entitled

A bill to authorize the levying a tax in the township of Osh-temo, county of Kalamazoo, and State of Michigan, for the purpose of paying the principal and interest of a debt contracted by certain persons for paying bounties to volunteers, to aid in suppressing the rebellion;

8. House bill No. 26, entitled

A bill to legalize the action of the township of Marquette and the township of Chocalay, in the county of Marquette, in raising money to macadamize a road between said townships;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

9. House bill No. 22, entitled

A bill to authorize fractional union school district No. 1, of the townships of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds;

And report the same back to the House, with the recommendation that it be re-committed to the committee on banks and incorporations.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Van Vleet,

The amendments made to the first and second named bills were concurred in, *in gross*, and the bills were placed on the order of third reading.

The third, fourth, fifth, sixth, seventh and eighth named bills were placed on the order of third reading.

On motion of Mr. Van Vleet,

The ninth named bill was re-committed to the committee on banks and incorporations.

Mr. Hawley, unanimous consent being given, offered the following:

*Resolved*, That the use of this Hall, to-morrow evening, be granted to the delegates of the Labor Reform Convention, now in session in this city;

Which was adopted.

On motion of Mr. Sweezey,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Thursday, January 17, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. McIntire.

Roll called: quorum present.

Absent at roll call, without leave, Mr. Glavin.

Mr. C. R. Brown asked and obtained leave of absence for Mr. Glavin, until Tuesday.

Mr. Kingsbury asked and obtained leave of absence for himself, after to-day, until Tuesday.

#### PRESENTATION OF PETITIONS.

By Mr. Grier: petition of C. H. Dennison and 37 others, praying for a further grant of swamp land to aid in the improvement of the Saginaw and Sauble river State road, and the Duncan, Alpena and Sauble river State road.

Referred to the committee on public lands.

By Mr. Locke: petition of B. O. Williams, D. Lyon Thorpe, Geo. L. Hitchcock, George P. Moses, C. P. Parkel and 57 others, citizens of the county of Shiawassee, asking for an appropriation of swamp lands, in the township of Rush, in said county, to aid in draining the same.

Referred to the committee on public lands.

By Mr. Grier: remonstrance of L. W. Stuck and forty-seven others, citizens of Kochville, against the passage of any law authorizing the construction of a plank road in the township of Kochville, in Saginaw county, or the raising of any money for that purpose by taxation.

Referred to the committee on local taxation.

By Mr. Spence: petition of J. L. Butterfield and 40 others, of Brooklyn, Jackson county, for the enactment of a law to define the responsibility of railroad companies in losses by fire;

Also, petition of Rufus C. Hathaway and 75 others, citizens of Fenton, Genesee county, for the same purpose.

Referred to the committee on the judiciary.

By Mr. Hill: petition of T. L. Chadburn and 65 others, residents of the county of Keweenaw, praying that our Senators and Representatives in Congress be requested to ask an appropriation of one hundred thousand acres of land, to aid in improving the ship canal between Lake Superior and the waters of Eagle Harbor, in said county.

Referred to the committee on federal relations.

By Mr. Hill: petition of William P. Raley and 60 others, residents of the county of Keweenaw, praying for the extension of the operations of the act of March 20th, 1865, for a further period of five years from the expiration thereof.

Referred to the committee on ways and means.

By Mr. Shetterly: petition of H. H. Cady and 41 others, citizens of the township of Macomb, in the county of Macomb, for the passage of a law for levying a tax in said township to pay the principal and interest on moneys advanced by certain persons for bounties to volunteers, to aid in suppressing the late rebellion

Referred to the committee on bounties.

By Mr. Alexander: petition of Horace Wixsom and 63 others, citizens of the township of Riley, Clinton county, asking the passage of an act authorizing the electors of the township of Riley, Clinton county, to vote a tax on the taxable property of the said township to refund money raised by sub-

scription to pay bounties to volunteers, or men drafted, or substitutes for drafted men during the recent rebellion.

Referred to the committee on bounties.

By Mr. Slayton: memorial of the township board of the township of Lowell, in the county of Kent, in regard to raising money to build a bridge across Grand River;

Also, memorial of the commissioners of highway, of the township of Lowell, in Kent county, for the same purpose

Referred to the committee on local taxation.

By Mr. Slayton: petition of the electors of school district No. 5, in the township of Lowell, in Kent county, to legalize a vote of said district to raise money to build a school-house;

Also, memorial of Alexander McBride, director, Christian Loyer and Perry Williams, school board of school district No. 5, of the township of Lowell, Kent county, for the same purpose;

Also, statement of the supervisor of the township of Lowell, in Kent county, of the taxable property of said district No. 5, and the owners thereof.

Referred to the committee on local taxation.

By Mr. Randall: petition of S. B. Allen and 68 others, praying the Legislature to confirm the action of the electors of the township of Tekonsha, in voting aid for the construction of a railway between some point at or near Port Huron, to Chicago, in the State of Illinois.

Referred to the committee on internal improvements.

By Mr. Mason: petition of A. B. Wing and 77 others, of Galesburg, to enlarge the corporate limits, and establish the boundary of the village of Galesburg.

Referred to the committee on banks and incorporations.

By Mr. Dunlap: petition of A. M. Button and 84 others, citizens and tax-payers of the county of Leelanaw, for the equalization of bounties.

Referred to the committee on bounties.

By Mr. Hill: memorial of the board of supervisors of Ke-

weenaw county, relative to the action of the State Board of Equalization.

On motion of Mr. Hill,

The memorial was ordered printed in the journal, and referred to the committee on ways and means.

The following is the memorial:

*To the Senate and House of Representatives of the State of Michigan:*

The memorial of the board of supervisors of Keweenaw county, respectfully represents that at a meeting of said board, held at the office of the county clerk of said county, on the 25th day of June, 1866, for purposes of equalization, your memorialists equalized the valuation of the real estate in the several towns of said county, and upon such equalization the aggregate valuation of the real and personal estate of said county was determined at the sum of \$1,409,700 20.

And your memorialists would further show, that of that aggregate amount, the sum of \$432,488 18 was exempt from State tax, by reason of the payment into the State Treasury of specific taxes, in lieu of State taxes, as provided by the laws of this State, and that therefore the aggregate valuation of the real and personal estate in said county liable to State taxation, as equalized by the board, was \$977,212 02.

And your memorialists would further respectfully represent, that the said equalization and exemptions were duly reported to the State board of equalization; and that said State board of equalization, in considering the report of your memorialists, disregarded the sum of \$432,488 18, which sum was in said report clearly set forth as exempt by law from State taxation, and considered the full sum of \$1,409,700 20 as the proper valuation of the real and personal property of said county of Keweenaw, and added thereto about 78 2-10 per cent. for taxable purposes, thereby fixing the valuation of the property of said county for the purposes of State taxation, at the sum of \$2,512,178 32, and thus making a considerable proportion of

the property of said county, liable to pay State taxes twice, (once in the way of specific tax, and once in the way of taxation,) or adding very largely to the tax of the property not exempt from State taxation. That the sum of \$432,488 18 and the per centage on the same, \$338,205 75, making the sum of \$770,693 93, should be deducted from the valuation, \$2,512,173 32, as determined by the State board of equalization, or that the exemptions of property from State taxation should be removed, so that the added tax may fall equally upon all the property of said county.

And your memorialists further show that in levying the tax assessed upon this county, by State authority, in the year 1866, they were compelled to respect the law which exempted this said \$432,488 18 from State taxation, and therefore to levy the whole State tax upon the said \$977,212 02, thereby imposing upon the property liable to State taxation, a much larger percentage of State tax, than any other property in the State. That the excess of State tax upon this county, by reason of disregarding the exemptions, by the State board of equalization, is the sum of \$1,418 07, which sum your memorialists respectfully request your honorable body to remit to this county, and to deduct the said sum of \$770,693 93 from the valuation of this county, as demanded by the said State board of equalization, or to repeal all laws exempting property in said county from State taxation.

And your memorialists will ever pray.

JOSIAH HALL, *Chairman,*

R. C. SATTERLEE, *County Clerk.*

Dated Eagle River, Jan. 3d, 1867.

#### REPORTS OF STANDING COMMITTEES.

By the committee on bounties:

The committee on bounties, to whom was referred

A bill to authorize and require the supervisor of the township of Hope, in the county of Barry, to assess and levy, and to authorize the collection of a tax to refund money advanced to pay bounties to volunteers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. R. BROWN, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

Joint resolution authorizing the Commissioner of the State Land Office to issue a certificate of purchase of certain lands to Charles McCormick, of Ypsilanti,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to vest title in the United States of America, in trust, of lands granted to the State of Michigan for railroad purposes, and for other purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of P. Merrill and four others, to legalize a vote of the inhabitants of fractional union school district No. 1, of Parma, Spring Arbor, Concord and Sandstone, to issue bonds for the purpose of building a school-house,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the petition be referred to the committee on incorporations, inasmuch as the subject matter of the petition is already before said committee.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The recommendation of the committee was concurred in, and the petition was referred to the committee on banks and incorporations.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No 9, entitled

A bill relative to recording deeds, mortgages and instruments of record,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill relative to recording deeds, mortgages and instruments of record, and to declare the effect thereof,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. S. T. Parsons,

The House concurred in the adoption of the substitute reported by the committee.



The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred

A bill to provide for the erection of a monument to the memory of the Michigan soldiers and sailors who lost their lives in the war of the late rebellion, together with a suitable building in which to preserve the records, ensigns, and trophies of the war,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

CHAS. W. DEANE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Crossman,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of Elmore Cassidy to Howard Homer Fife,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. White,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 16, 1867. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 17, entitled

A bill to authorize school district number three, of the township of Hillsdale, in the county of Hillsdale, to borrow money and negotiate its bonds therefor;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hawley offered the following:

*Resolved*, That we most heartily sympathize with the movement of the laboring men of our country to shorten the hours of toil, and we believe that legislation for the accomplishment of this object will aid to improve the condition of the working classes, and be in no wise detrimental to the interests of the country or of capital.

Mr. Slayton moved to refer the resolution to the committee on State affairs.

Mr. Hawley demanded the yeas and nays;

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Ball,  
Barber,  
Benedict,

Mr. Jenness,  
Kedzie,  
Kingsbury,  
Locke,

Mr. Rockwood,  
Schars,  
Shepherd,  
Slayton,

Bonine,	Lockwood,	L. Smith,
A. S. Brown,	McCutcheon,	R. B. Smith,
C. R. Brown,	Mead,	Spence,
Canniff,	Newcombe,	Stevens,
Chauvin,	L. D. Osborn,	Sweezey,
Crossman,	W. H. Osborn,	Tompkins,
Fellows,	Packard,	Upton,
Greenfield,	F. Parsons,	Walker,
Haven,	Parmelee,	Warner,
Howard,	Randall,	Wells,
Huckins,	Robinson,	Woodward, 45

## NAYS.

Mr. Alexander,	Mr. Healy,	Mr. Sexton,
Beall,	Hill,	Shetterly,
Boies,	Holt,	C. C. Smith,
W. G. Brown,	Hopkins,	E. Spalding,
Camburn,	Jewell,	P. S. Spaulding,
Corey,	J. H. Jones,	Stannard,
Deane,	R. Jones,	Storrs,
Dunlap,	Lovell,	Swift,
Dusseau,	Mason,	Taylor,
Eck,	Mickley,	Van Vleet,
Emery,	Miles,	White,
Fenton,	Murray,	Willard,
Funston,	Newell,	Wilson,
Gallup,	Parker,	Woodman,
Grier,	S. T. Parsons,	Wright,
Hawley,	Pearl,	Speaker, 48

Mr. Van Vleet moved to lay the resolution on the table.

Mr. Hawley demanded the yeas and nays;

The demand was seconded, and the motion did not prevail,  
by yeas and nays, as follows:

## • YEAS.

Mr. Aitkin,	Mr. Kingebury,	Mr. Shepherd,
Ball,	Locke,	Slayton,
Barber,	Lockwood,	L. Smith,
Bonine,	McCutcheon,	Spence,
A. S. Brown,	Mead,	Stannard,
Canniff,	L. D. Osborn,	Stevens,
Crossman,	Packard,	Sweezey,
Deane,	L. Parsons,	Van Vleet,
Greenfield,	Parmelee,	Walker,
Haven,	Randall,	Warner,
Howard,	Robinson,	Wells,

Huckins,  
Jenness,  
Kedzie,

Rockwood,  
Schars,

Woodward,  
Woodman,

40

## NAYS.

Mr. Alexander,  
Beall,  
Benedict,  
Boies,  
C. R. Brown,  
W. G. Brown,  
Camburn,  
Chauvin,  
Corey,  
Dunlap,  
Dusseau,  
Eck,  
Emery,  
Fellows,  
Fenton,  
Funston,  
Gallup,  
Grier,

Mr. Hawley,  
Healy,  
Hill,  
Holt,  
Hopkins,  
Jewell,  
J. H. Jones,  
R. Jones,  
Lovell,  
Mason,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
W. H. Osborn,  
Parker,  
S. T. Parsons,

Mr. Pearl,  
Sexton,  
Shetterly,  
O. O. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Storrs,  
Swift,  
Taylor,  
Tompkins,  
Upton,  
White,  
Willard,  
Wilson,  
Wright,  
Speaker,

53

Mr. Ball moved that Mr. Crossman be excused from voting;  
Which motion did not prevail.

Mr. Crossman then voted as recorded above.

The question being upon the adoption of the resolution,

Mr. Woodman offered the following substitute therefor:

*Resolved*, That in the opinion of this House, no legislation is  
necessary to regulate the hours of labor.

Mr. Hawley demanded the yeas and nays.

The demand was seconded, and pending the taking of the  
vote on the adoption of the substitute,

Mr. Warner moved to lay the substitute on the table.

Mr. Hawley demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by  
yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Ball  
Barber,  
Bonine,

Mr. Howard,  
Huckins,  
Jenness,  
Kedzie,

Mo. Schars,  
Shepherd,  
Slayton,  
Spence,

A. S. Brown,  
W. G. Brown,  
Canniff,  
Crossman,  
Deane,  
Eck,  
Emery,  
Fellows,  
Gallup,  
Greenfield,  
Haven,

Kingsbury,  
Locke,  
Lovell,  
Mason,  
McCutcheon,  
Mead,  
L. D. Osborn,  
Packard,  
F. Parsons,  
Parmelee,  
Randall,

Stevens,  
Sweezey,  
Taylor,  
Tompkins,  
Van Vleet,  
Walker,  
Warner,  
Wells,  
Woodward,  
Woodman,  
Speaker, 45

## NAYS.

Mr. Alexander,  
Beall,  
Benedict,  
Boies,  
C. R. Brown,  
Camburn,  
Chauvin,  
Corey,  
Dunlap,  
Dusseau,  
Fenton,  
Funston,  
Grier,  
Hawley,  
Healy,  
Hill,

Mr. Holt,  
Hopkins,  
Jewell,  
J. H. Jones,  
R. Jones,  
Lockwood,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
W. H. Osborn,  
Parker,  
S. T. Parsons,  
Pearl,  
Robinson,

Mr. Rockwood,  
Sexton,  
Shetterly,  
C. C. Smith,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Stannard,  
Storrs,  
Swift,  
Upton,  
White,  
Willard,  
Wilson,  
Wright, 48

The question recurring upon the adoption of the substitute,  
It was adopted, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Ball,  
Barber,  
Bonine,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Crossman,  
Deane,  
Eck,  
Emery,  
Fellows,

Mr. Jenness,  
Jewell,  
Kedzie,  
Kingsbury,  
Locke,  
Lovell,  
McCutcheon,  
Mead,  
Newcombe,  
L. D. Osborn,  
Packard,  
F. Parsons,  
Parmelee,

Mr. L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Sweezey,  
Upton,  
Van Vleet,  
Walker,  
Warner,

Greenfield,	Randall,	Wells,
Haven,	Robinson,	White,
Hill,	Scharr,	Woodward,
Howard,	Shepherd,	Woodman,
Huckins,	Slayton,	Speaker, 54

## NAYS.

Mr. Alexander,	Mr. Hawley,	Mr. S. T. Parsons,
Beall,	Healy,	Pearl,
Benedict,	Holt,	Rockwood,
Boies,	Hopkins,	Sexton,
Camburn,	J. H. Jones,	Shetterly,
Chauvin,	Lockwood,	O. C. Smith,
Corey,	Mason,	Swift,
Dunlap,	Mickley,	Taylor,
Dusseau,	Miles,	Tompkins,
Fenton,	Murrry,	Willard,
Funston,	Newell,	Wilson,
Gallup,	W. H. Osborn,	Wright,
Grier,	Parker,	38

The resolution, as amended by the substitute, was then adopted.

Mr. L. Smith offered the following:

*Resolved*, By the House, (the Senate concurring,) That the board of State Auditors be and they are hereby requested to audit all accounts due the postmaster of Lansing for unpaid postage on all mail matter forwarded to members of this Legislature, and that the State Treasurer is hereby authorized to pay the same.

Mr. L. Smith moved that the rules be suspended, and that the resolution be put upon its immediate passage;

Which motion prevailed.

The resolution was then adopted.

Mr. Holt offered the following:

*Resolved*, (The Senate concurring,) That this House take a recess from Friday, the 18th inst., until Tuesday, the 29th inst.

Laid on the table for one day under the rules.

Mr. S. T. Parsons offered the following:

*Resolved*, (The Senate concurring,) That when the respective Houses adjourn on Friday, the 25th inst., that the same shall stand adjourned until Tuesday, the 5th of February next, at ten o'clock A M.

Mr. S. T. Parsons moved that the rules be suspended and the resolution be put upon its immediate passage;

Which motion prevailed.

The resolution was then adopted.

Mr. Hopkins asked and obtained permission to have his vote recorded in the affirmative on the passage of Senate joint resolution No. 2, entitled

Joint resolution ratifying the proposed constitutional amendment.

Mr Hopkins offered the following:

*Whereas*, There are many thousands of acres of valuable lands called "railroad lands," which are mainly located in the most recently settled portion of the State and have been withheld from sale for about ten years past, greatly to the hindrance of the settlement of the country, the laying out and construction of roads, the organization and maintenance of schools and churches, and the full development of the wealth of the State, and which withholding from sale of said lands is a just cause of complaint by the people where they are located;

*And whereas*, A sale of those lands at public auction, to the highest bidder, after due public notice, would open them to settlement, and secure their full value for the construction of the contemplated railroads, without sacrifice, and thus greatly promote the settlement, growth, and development of the State, and hasten the construction of the railroads, for which purpose they were generously donated by the United States, and thus remove all cause of complaint above alluded to; therefore,

*Resolved*, (The Senate concurring,) That our Senators in Congress be and they are hereby instructed, and our Representatives, (in Congress,) requested to vote for, and use their influence to obtain the passage of a law by Congress, allowing the railroad lands of this State to be publicly advertised and sold at public vendue, to the highest bidder, in the usual Government subdivisions, at the respective land offices where located, provided no bid shall be received less than \$4 per acre, and all lands not thus sold, to be subject to private entry after

such public sale, at \$4 per acre, and the proceeds of all such lands to be retained in trust for the construction of the respective railroads for which they were donated, and be paid over to them when they are entitled to the same, on the same terms and conditions as the lands would have been made over to them, had they not been sold; and be it further

*Resolved*, That the Governor be authorized and requested, to forward a copy of these preamble and resolutions, properly signed by the President of the Senate, and Speaker of the House of Representatives, to each of our Senators, and Representatives in Congress, immediately after the passage of the same.

Laid on the table for one day, under the rules.

Mr. Beall gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the township of Sherwood, Branch county, in voting to aid in the construction of a railroad from some point at or near Port Huron, to the Indiana State line, on the route deemed most eligible, to Chicago, in the State of Illinois.

Mr. White offered the following:

*Resolved*, That at 12 o'clock noon, this day, the House take a recess until 2 o'clock P. M.;

Which was adopted.

Mr. Boies offered the following:

*Resolved*, That the Sergeant-at-Arms be instructed to prepare a list of the names of the members of this House, with the names of the counties which they wholly, or in part represent, and their respective places of boarding and post office address, age, profession and nativity, similar to the lists contained in the various Legislative Manuals heretofore published, and that three hundred copies of the same be printed for distribution among the members and officers of this House.

Mr. Taylor moved to amend the resolution by striking out the words, "three hundred," and inserting the words, "five hundred," in lieu thereof;



Which motion prevailed.

The resolution, as amended, was then adopted.

Mr. Woodman moved to discharge the committee of the whole from the further consideration of House bill No. 29, entitled

A bill to provide for the revision of the Constitution of the State of Michigan;

Which motion prevailed.

Mr. S. T. Parsons moved that the bill be made the special order for Wednesday next, at 2 o'clock P. M.

Mr. Newcombe moved to amend the motion, by striking out "Wednesday next," and inserting the words, "Thursday, February 7th."

Mr. J. H. Jones moved to make the bill the special order for Tuesday next.

The question being first upon the adoption of the amendment offered by Mr. Newcombe,

The amendment was not adopted.

The question recurring upon the motion of Mr. J. H. Jones,

The motion prevailed.

Mr. Spence gave notice that on some future day he would ask leave to introduce

A bill to define the responsibility of railroad companies, in losses by fire.

Mr. Ball gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 104, of session laws of 1865, entitled an act to amend an act entitled an act to amend an act to prevent fishing with seines, and every kind of nets, in certain counties in the State of Michigan, approved March 16, 1861;

Also,

A bill to authorize fractional school district No. 5, of the townships of Brighton and Genoa, county of Livingston, to borrow moneys to build a school-house.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to provide for the taxation of national banks, in this State.

Mr. Slayton, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the township of [Lowell, in Kent county, in raising money to build a bridge across Grand River.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Slayton, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of school district No. 5, in the township of Lowell, in Kent county, in raising money to build a school-house therein.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Pearl, previous notice having been given, and leave being granted, introduced

A bill to amend section 994 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to enlarge the corporate limits and establish the boundary of the village of Galesburgh.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Camburn, previous notice having been given, and leave being granted, introduced

A bill to authorize the township board of the township of Eureka, in the county of Montcalm, to loan money by issuing and negotiating their bonds to pay the indebtedness of said town to school district No. one, in said township.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to amend section 4, of title 4, of "an act to revise the charter of the city of Lansing," approved March 17th, 1865.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Randall, previous notice having been given, and leave being granted, introduced

A bill to amend section 6, of chapter 27, of the revised statutes of 1846, being section 1103 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend section one, of act numbered 288, of the laws of 1865, entitled "an act to authorize the formation of mechanics' and laboring men's co-operative associations," approved March 24th, 1865, and also to amend the title of said act.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to repeal sections 2032 and 2033 of the compiled laws, in regard to charitable bequests and devices.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Taylor, previous notice having been given, and leave being granted, introduced

A bill to provide for the draining and reclamation of swamp lands, by lowering the bed of the south branch of Swan Creek, in the township of Richland, Saginaw county.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Swift, previous notice having been given, and leave being granted, introduced

A bill to amend section 4, of act 348, of the session laws of A. D. 1865.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mickley offered the following:

*Whereas*, The present exclusion from juries of all persons who have formed an opinion on the cases to be tried in courts, not only causes great and useless trouble in finding jurors, but tends to exclude those most intelligent and candid, and most competent, not only to have opinions, but to change or mature them, in fuller view of facts, and thus render the most just and wise verdicts; therefore,

*Resolved*, That the judiciary committee be instructed to report, by bill or otherwise, on the expediency of a change, by which such exclusion shall cease, and all persons with the requisite qualifications of character and disinterested position shall be competent to serve as jurors;

Which was adopted.

Mr. Storrs offered the following:

*Resolved*, That the Clerk be directed to furnish, hereafter, but one thousand copies of the daily journal, for the use of the members and officers of this House, until further ordered;

Which was adopted.

Mr. Kingsbury gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of trustees of fractional union school district number one, of the city of Grand Rapids, to borrow money.

Mr. Pearl gave notice that on some future day he would ask leave to introduce

A bill to authorize school district No. 3, of the township of Victor, in the county of Clinton, to borrow money and issue bonds therefor;

Mr. S. T. Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 145, of the session laws of 1865, en-

titled "an act to provide for the incorporation of Masonic lodges."

Mr. Grier gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes in the city of Bay City;

Also,

A bill to extend the time for the collection of taxes in the township of Bangor, Bay county, for the year eighteen hundred and sixty-six;

Also,

A bill to amend sections forty-nine hundred and eighty-five, (4985,) and forty-nine hundred and ninety-four, (4994,) of the compiled laws, being sections twelve (12) and twenty-one, (21,) of chapter one hundred and fifty (150) of said laws, and to add certain new sections to said chapter.

Mr. Holt gave notice that on some future day he would ask leave to introduce

A bill to provide for recording an amended plat of the village of Muskegon.

Mr. Van Vleet gave notice that on some future day he would ask leave to introduce

A bill to amend section 93, of chapter 17 of the compiled laws, being an act to provide for assessing property at its true value, and for levying and collecting taxes thereon.

Mr. Aitkin gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes in the township of Flint, in the county of Genesee, for the year A. D. 1866.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of education, of the city of Lansing, to borrow money and issue bonds, for the construction of a high school building.

Mr. Jewell gave notice that on some future day he would ask leave to introduce

A bill for the improvement of Rogue River.

On motion of Mr. Huckins,

The House took a recess until two o'clock this afternoon.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Beall asked and obtained leave of absence for himself, until Tuesday.

The House resumed business under the order of

THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 20, entitled

A bill to attach certain unorganized towns to the township of Helena, Antrim county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,  
Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Boies,  
Bonine,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,

Mr. Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
R. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Mason,  
McCutcheon,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,

Mr. Sobars,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Sweezey,  
Swift,  
Taylor,  
Tompkins,  
Upton,  
Van Vleet,

Emery,	L. D. Osborn,	Walker,	
Fellows,	W. H. Osborn,	Warner,	
Fenton,	Packard,	Wells,	
Funston,	Parker,	White,	
Gallup,	F. Parsons,	Willard,	
Greenfield,	S. T. Parsons,	Wilson,	
Grier,	Parmelee,	Woodward,	
Haven,	Pearl,	Woodman,	
Hawley,	Randall,	Wright,	
Healy,	Robinson,	Speaker,	
Holt,	Rockwood,		92
	NAYS.		0

Title agreed to.

House bill No. 80, entitled

A bill to amend section 587, being section 95, of chapter twelve, of compiled laws, relative to the compensation of certain township officers,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Hopkins,	Mr. Schars,
Alexander,	Howard,	Sexton,
Ball,	Huckins,	Shepherd,
Barber,	Jenness,	Shetterly,
Beall,	Jewell,	Slayton,
Benedict,	J. H. Jones,	O. C. Smith,
Boies,	R. Jones,	L. Smith,
Bonine,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
O. R. Brown,	Locke,	P. S. Spaulding,
W. G. Brown,	Lockwood,	Spence,
Canniff,	Lovell,	Stannard,
Camburn,	Mason,	Stevens,
Chauvin,	McCutcheon,	Storrs,
Corey,	Mead,	Sweezey,
Crossman,	Mickley,	Swift,
Deane,	Miles,	Taylor,
Dunlap,	Murray,	Tompkins,
Dusseau,	Newcombe,	Upton,
Eck,	Newell,	Van Vleet,
Emery,	L. D. Osborn,	Walker,
Fellows,	W. H. Osborn,	Warner,
Fenton,	Packard,	Wells,

Funston,	Parker,	White,	
Gallup,	F. Parsons,	Willard,	
Greenfield,	S. T. Parsons,	Wilson,	
Grier,	Parmelee,	Woodward,	
Haven,	Pearl,	Woodman,	
Hawley,	Randall,	Wright,	
Healy,	Robinson,	Speaker,	
Holt,	Rockwood,		92
	NAYS.		0

Title agreed to.

House Bill No. 17, entitled

A bill to amend section 3119, of the compiled laws, so as to make certain equitable interests in lands liable to levy and sale on execution,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Grier asked and obtained the unanimous consent of the House, to amend the bill, by adding the following at the end of recited section one:

*"Provided, That this section shall not be construed so as to make liable to levy and sale on execution any amount of land not exceeding the amount now exempted by law from levy and sale on execution, and which would be exempt from levy and sale on execution, if owned by the person occupying the same."*

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Holt,	Mr. Rockwood,
Alexander,	Hopkins,	Shars,
Ball,	Howard,	Sexton,
Barber,	Huckins,	Shepherd,
Beall,	Jenness,	Shetterly,
Benedict,	Jewell,	Slayton,
Boies,	J. H. Jones,	O. C. Smith,
Bonine,	R. Jones,	L. Smith,
A. S. Brown,	Kedzie,	R. B. Smith,
C. R. Brown,	Kingsbury,	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Canniff,	Lockwood,	Spence,
Camburn,	Lovell,	Stannard,



Chauvin,	Mason,	Stevens,
Corey,	McCutcheon,	Storrs,
Crossman,	Mead,	Sweezey,
Deane,	Mickley,	Swift,
Dunlap,	Miles,	Taylor,
Dusseau,	Murray,	Tompkins,
Eck,	Newcombe,	Upton,
Emery,	Newell,	Van Vleet,
Fellows,	L. D. Osborn,	Walker,
Fenton,	W. H. Osborn,	Warner,
Funston,	Packard,	Wells,
Gallup,	Parker,	White,
Greenfield,	F. Parsons,	Willard,
Grier,	S. T. Parsons,	Wilson,
Haven,	Parmelee,	Woodward,
Hawley,	Pearl,	Woodman,
Healy,	Randall,	Wright,
Hill,	Robinson,	Speaker,

98

NAYS.

0

Title agreed to.

House bill No. 24, entitled

A bill to authorize (graded) school district number eight, of the township of Ingham, in the county of Ingham, to borrow money for the purposes therein mentioned,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Holt,	Mr. Schars,
Alexander,	Hopkins,	Sexton,
Ball,	Howard,	Shepherd,
Barber,	Huckins,	Shetterly,
Beall,	Jenness,	Slayton,
Benedict,	Jewell,	O. O. Smith,
Boies,	J. H. Jones,	L. Smith,
Bonine,	R. Jones,	R. B. Smith,
A. S. Brown,	Kedzie,	E. Spalding,
C. R. Brown,	Kingsbury,	P. S. Spaulding,
W. G. Brown,	Locke,	Spence,
Canniff,	Lockwood,	Stannard,
Camburn,	Lovell,	Stevens,
Chauvin,	Mason,	Storrs,
Corey,	McCutcheon,	Sweezey,

Crossman,	Mead,	Swift,
Beane,	Mickley,	Taylor,
Dunlap,	Miles,	Tompkins,
Dusseau,	Murray,	Upton,
Eck,	Newcombe,	Van Vleet,
Emery,	Newell,	Walker,
Fellows,	L. D. Osborn,	Warner,
Fenton,	W. H. Osborn,	Wells,
Funston,	Packard,	White,
Gallup,	Parker,	Willard,
Greenfield,	F. Parsons,	Wilson,
Grier,	S. T. Parsons,	Woodward,
Haven,	Parmelee,	Woodman,
Hawley,	Randall,	Wright,
Healy,	Robinson,	Speaker,
Hill,	Rockwood,	

NAYS.

92

0

Title agreed to.

On motion of Mr. Crossman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 25, entitled

A bill to amend section ten of act number one hundred and eighty-eight, of session laws of 1861, entitled an act to re-organize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Rockwood,
Alexander,	Holt,	Schars,
Ball,	Hopkins,	Sexton,
Barber,	Howard,	Shepherd,
Beall,	Huckins,	Shetterly,
Benedict,	Jenness,	Slayton,
Boies,	Jewell,	L. Smith,
Bonine,	J. H. Jones,	R. B. Smith,
A. S. Brown,	R. Jones,	E. Spalding,
O. R. Brown,	Kedzie,	P. S. Spaulding,
W. G. Brown,	Kingsbury,	Spence,
Canniff,	Locke,	Stannard,
Camburn,	Lovell,	Stevens,

Chauvin,	Mason,	Storrs,
Corey,	McCutcheon,	Sweezey,
Crossman,	Mead,	Swift,
Deane,	Mickley,	Taylor,
Dunlap,	Miles,	Tompkins,
Dusseau,	Murray,	Upton,
Eck,	Newcombe,	Van Vleet,
Emery,	Newell,	Walker,
Fellows,	L. D. Osborn,	Warner,
Fenton,	W. H. Osborn,	Wells,
Funston,	Packard,	White,
Gallup,	F. Parscns,	Willard,
Greenfield,	S. T. Parsons,	Wilson,
Grier,	Parmelee,	Woodward,
Haven,	Randall,	Wright,
Healy,	Robinson,	Speaker, 87

## NAYS.

Mr. Hawley,	Mr. Parker,	Mr. O. C. Smith,
Lockwood,	Pearl,	Woodman, 6

Title agreed to.

On motion of Mr. Kedzie,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 23, entitled

A bill to authorize the levying a tax in the township of Osh-temo, county of Kalamazoo, and State of Michigan, for the purpose of paying the principal and interest of a debt contracted by certain persons for paying bounties to volunteers to aid in suppressing the rebellion,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Howard,	Mr. Sexton,
Alexander,	Huckins,	Shepherd,
Ball,	Jenness,	Shetterly,
Beall,	Jewell,	Slayton,
Benedict,	R. Jones,	O. C. Smith,
Boies,	Kedzie,	L. Smith,
Bonine,	Kingsbury,	R. B. Smith,
A. S. Brown,	Locke,	E. Spalding,
C. R. Brown,	Lockwood,	P. S. Spaulding,
Canniff,	Mason,	Spence,

Camburn,	McCutcheon,	Stannard,
Chauvin,	Mead,	Stevens,
Corey,	Mickley,	Storrs,
Crossman,	Miles,	Swezey,
Deane,	Murray,	Swift,
Eck,	Newcombe,	Taylor,
Emery,	Newell,	Tompkins,
Fellows,	L. D. Osborn,	Upton,
Fenton,	W. H. Osborn,	Van Vleet,
Funston.	Packard,	Walker,
Gallup,	Parker,	Warner,
Greenfield,	F. Parsons,	Wells,
Grier,	S. T. Parsons,	White,
Haven,	Parmelee,	Wilson,
Healy,	Pearl,	Woodward,
Hill,	Robinson,	Woodman,
Holt,	Rockwood,	Wright,
Hopkins,	Schars,	Speaker, 84

## NAYS.

Mr. Barber,	Mr. Dusseau,	Mr. Lovell,
W. G. Brown,	Hawley,	Randall,
Dunlap,	J. H. Jones,	Willard, 9

Title and preamble agreed to.

House bill No. 26, entitled

A bill to legalize the action of the township of Marquette, and the township of Chocoday, in the county of Marquette, in raising money to macadamize a road between said townships,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Holt,	Mr. Rockwood,
Alexander,	Hopkins,	Schars,
Ball,	Howard,	Sexton,
Barber,	Huckins,	Shepherd,
Beall,	Jeness,	Shetterly,
Benedict,	Jewell,	Slayton,
Boies,	J. H. Jones,	C. C. Smith,
Bonine,	R. Jones,	L. Smith,
A. S. Brown,	Kedzie,	R. B. Smith,
C. R. Brown,	Kingsbury,	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Oanniff,	Lockwood,	Spence,
Camburn,	Lovell,	Stannard,

Chauvin,	Mason,	Stevens,
Corey,	McCutcheon,	Storrs,
Crossman,	Mead,	Sweezey,
Deane,	Mickley,	Swift,
Dunlap,	Miles,	Taylor,
Dusseau,	Murray,	Tompkins,
Eck,	Newcombe,	Upton,
Emery,	Newell,	Van Vleet,
Fellows,	L. D. Osborn,	Walker,
Fenton,	W. H. Osborn,	Warner,
Funston,	Packard,	Wells,
Gallup,	Parker,	White,
Greenfield,	F. Parsons,	Willard,
Grier,	S. T. Parsons,	Wilson,
Haven,	Parmelee,	Woodward,
Hawley,	Pearl,	Woodman,
Healy,	Randall,	Wright,
Hill,	Robinson,	Speaker,

93

NAYS.

0

Title agreed to

On motion of Mr. Healy,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 19, entitled

A bill to amend sections 1 and 9, of chapter 139, of the revised statutes of 1846, being sections 5350 and 5358, of the compiled laws, touching the limitation of actions relating to real property, as amended by act No. 227, of the session laws of 1863,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Holt,	Mr. Rockwood,
Alexander,	Hopkins,	Schars,
Ball,	Howard,	Sexton,
Barber,	Huckins,	Shepherd,
Beall,	Jenness,	Shetterly,
Benedict,	Jewell,	Slayton,
Boies,	J. H. Jones,	O. C. Smith,
Bonine,	R. Jones,	L. Smith,
A. S. Brown,	Kedzie,	R. B. Smith,

C. R. Brown,	Kingsbury,	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Canniff,	Lockwood,	Spence,
Camburn,	Lovell,	Stannard,
Chauvin,	Mason,	Stevens,
Corey,	McCutcheon,	Storrs,
Crossman,	Mead,	Sweezey,
Deane,	Mickley,	Swift
Dunlap,	Miles,	Tompkins,
Dusseau,	Murray,	Upton,
Eck,	Newcombe,	Van Vleet,
Emery,	Newell,	Walker,
Fellows,	L. D. Osborn,	Warner,
Fenton,	W. H. Osborn,	Wells,
Funston,	Packard,	White,
Gallup,	Parker,	Willard,
Greenfield,	F. Parsons,	Wilson,
Grier,	S. T. Parsons,	Woodward,
Haven,	Parmelee,	Woodman,
Hawley,	Pearl,	Wright,
Healy,	Randall,	Speaker,
Hill,	Robinson,	

92

NAYS.

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The question being upon agreeing to the title,

On motion of Mr. S. T. Parsons,

The title was amended by inserting after the word "one:" the word "five," and after the figures "5350," the figures "5354."

The title as amended was then agreed to.

#### UNFINISHED BUSINESS,

Being the consideration of the following resolution:

*Resolved,* (The Senate concurring) That the Sergeant-at-Arms of this House be instructed to cause a suitable flag-staff to be erected on or near the cupola of this building, and to cause a United States flag, of suitable quality and proportions, to be constantly flying therefrom, between the hours of sunrise and sunset, Sundays excepted, while the Legislature shall continue in session.

The resolution was adopted.

Also, the following resolution:

*Resolved*, (The Senate concurring) That the Secretary of State be and he is hereby authorized to cause a United States flag, of suitable quality and proportions, to be suspended on the buildings occupied by the State offices, daily, during the session of the Legislature, Sundays excepted, and at other times according to the usual custom;

Which was adopted.

Mr. Miles moved that the House adjourn;

Which motion was not agreed to.

GENERAL ORDER.

On motion of Mr. Randall,

The House went into committee of the whole, on the general order,

Mr. Shetterly in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 28, entitled

A bill to amend section 3786, chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace.

2. House bill No. 31, entitled

A bill to provide for the ascertaining and giving notice of the title of the lands of the heirs of deceased persons.

3. Senate bill No. 6, entitled

A bill to authorize school district No. 7, of the township of Plainfield, in the county of Kent, to issue bonds for the purposes therein mentioned;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

4. Senate bill No. 5, entitled

A bill to amend section six, of an act entitled "an act to incorporate the city of Battle Creek," approved February third, eighteen hundred and fifty-nine, relating to the time of holding the annual election;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

SETH K. SHETTERLY, *Chairman.*

Report accepted and committee discharged.

The first, second and third named bills were placed on the order of third reading.

On motion of Mr. S. T. Parsons,

The amendment made to the fourth named bill was concurred in, and the bill was placed on the order of third reading.

On motion of Mr. Beall,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Friday, January 18, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Miles, R. B. Smith, VanVleet, Woodward and Schars.

Mr. Mead asked and obtained leave of absence for Mr. Schars, for an indefinite time.

Mr. Lovell asked and obtained leave of absence for Mr. Van Vleet, until Tuesday morning.

Mr. S. T. Parsons asked and obtained leave of absence for himself, until Tuesday, after to-day.

Mr. Tompkjus asked and obtained leave of absence for himself, until Tuesday, after to-day.

Mr. Upton asked and obtained leave of absence for Mr. Woodward, until Tuesday.

Mr. Woodman asked and obtained the unanimous consent of the House to offer the following:



*Resolved*, That Messrs. Miles and R. B. Smith, from the committee on State affairs, be appointed to act with a committee of one from the Senate, to proceed to the city of Detroit and confer with the trustees of the Harper's Hospital, in that city, in relation to providing a suitable home for the sick and disabled soldiers of Michigan and that leave of absence be granted them until Tuesday next;

Which was adopted.

#### PRESENTATION OF PETITIONS.

By Mr. Pearl: petition of I. V. Swarthout and 8 others, citizens and residents of school district No. 3, of Victor, Clinton county, praying for the passage of an act authorizing said district to borrow money.

Referred to the committee on local taxation.

By Mr. Deane: remonstrance of the board of supervisors of Newaygo county, against any extension of time for the completion of the Grand Rapids and Indiana railroad.

Referred to the committee on internal improvements.

By Mr. L. Smith: petition of William M. Miller and 40 others, citizens of Saginaw county, asking for an appropriation of swamp lands to aid in constructing a State road from Stanton, in Montcalm county, to St. Charles, in Saginaw county.

Referred to the committee on public lands.

By Mr. Willard: petition of John A. Banfield and 9 others; asking for a system of county superintendents of schools;

Also, petition of George Ingersoll, Francis W. Shearman, J. C. Frink, B. A. Gallup and 31 others, citizens of Marshall, for the same purpose.

Referred to the committee on education.

By Mr. Eck: petition of Louis A. Leland and 32 others, citizens of Colon, St. Joseph county, asking an extension of time for the completion of the Grand Rapids and Indiana railroad.

Referred to the committee on internal improvements.

By Mr. Storrs: petition of Allen C. Adair and 80 others, asking that the name of the village of Mill Point, Ottawa county, be changed to that of Spring Lake.

Referred to the committee on towns and counties.

By Mr. S. T. Parsons: petition of John J. Hanna, John Carland, James M. Goodell and 117 others, citizens of Shiawassee county, praying for the passage of a law to equalize the State bounty to all soldiers who enlisted from this State during the late war, into the military service of the United States.

Referred to the committee on military affairs.

By Mr. Slayton: petition and protest of Henry C. Dennison, H. B. Smith and 65 other residents of the township of Cascade, in Kent county, against the policy of special land grants.

Referred to the committee on public lands.

By Mr. Newell: remonstrance of the State eight hour league, against the passage of a law extending the land grant of the Grand Rapids and Indiana railroad company.

Referred to the committee on internal improvements.

By Mr. Randall: petition of R. F. Watkins and thirty-five others, citizens of the township of Burlington, Calhoun county, praying the Legislature to legalize the action of the electors of the township of Burlington, in voting aid to a railroad between some point at or near Port Huron, to Chicago, in the State of Illinois.

Referred to the committee on local taxation.

By Mr. Ball: petition of John Dunning and 57 others, citizens and tax-payers of the township of Unadilla, Livingston county, asking for the legalizing of the vote of said town in voting aid to the Grand Trunk railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Ball: petition of W. A. Hall, Alvin Mann, and 148 others, citizens and tax-payers of the township of Putnam, in the county of Livingston, praying for the legalization of the vote of said town in voting aid to the Grand Trunk railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Lockwood: petition of Moore, Foote & Co., E. B. Ward, George S. Frost and 20 others, citizens of Detroit, for a further appropriation of State swamp lands to the Duncan,

Alpena and Sauble River, and East Saginaw and Sauble river State road.

Referred to the committee on public lands.

By Mr. Lockwood: petition of George N. Fletcher, T. H. Eaton and 5 others, of Detroit, for a State road from Alpena to some point on Grand Traverse Bay, and an appropriation of lands therefor.

Referred to the committee on public lands.

By Mr. Lockwood: petition of W. A. Butler, L. M. Mason and 4 others, citizens of Detroit, asking a further appropriation of land for the Duncan, Alpena and Sauble River and East Saginaw and Sauble River State road.

Referred to the committee on public lands.

By Mr. Lockwood: petition of L. B. Smith and 20 others, citizens of Iosco county, for the incorporation of Ogemaw county with Iosco county.

Referred to the committee on towns and counties.

By Mr. Lockwood: petition of Henry C. Woodworth and 24 others, of Iosco county, for a State road from Tawas city to Traverse Bay, and an appropriation of State swamp lands therefor.

Referred to the committee on public lands.

By Mr. Lockwood: petition of Henry C. Woodworth and 24 others, inhabitants of the shore of Lake Huron, for a bridge across the Sauble river, and the repairing or constructing of other bridges.

Referred to the committee on roads and bridges.

By Mr. Lockwood: petition of Lorenzo Teachout and 49 others, for a State road from Tawas City to the west line of Iosco county, and an appropriation of State swamp lands therefor.

Referred to the committee on public lands.

By Mr. Lockwood: petition of T. A. Nicholls and 108 others, of Isabella county, for a State road from Isabella to Houghton lake, in Roscommon county.

Referred to the committee on public lands.

By Mr. Stevens: petition of Charles G. Johnson, William H. Boid, and 41 others, citizens and tax-payers of the county of Monroe, asking that the time for collecting certain taxes therein named be extended.

Referred to the committee on ways and means.

By Mr. Rockwood: petition of Abel Smith, Ira S. Beagle, and 15 others, of graded school district No. 1, of the township of Forest, Genesee county, asking for the privilege of raising money to build a school-house in said district.

Referred to the committee on local taxation.

By Mr. Ball: petition of O. L. Albright and others, of school district No. 5, of Brighton and Genoa, Livingston county, asking authority to borrow money to build a school-house.

Referred to committee on local taxation.

By Mr. Newcombe: petition of W. L. P. Little, Wm. L. Webber, Jas. L. Ketchum, B. B. Buckhart, A. C. Potter, Sam'l W. Yawkey, W. R. Burt, G. W. Wesley, John L. Estabrook, Edwin Aikin and two hundred and fifty others, citizens of Saginaw county, asking the passage of a law equalizing the State bounties to volunteers in the late war;

On motion of Mr. Newcombe,

The petition was ordered printed in the journal, and referred to the committee on military affairs.

The following is the petition:

*To the Honorable Senators and Representatives of the Legislature of the State of Michigan:*

Your petitioners, the undersigned, citizens of the county of Saginaw, believing that an equalization of State bounty to the soldiers who enlisted in the United States service from the State of Michigan, would be but an act of justice, and that many indigent and maimed soldiers, who have become so for our common welfare, as also the widows and orphans of others whose lives have been forfeited while fighting the common foe, would be greatly benefitted by receiving that which we deem so justly their due, would respectfully request that at the present session of your Honorable body, you enact a law which

shall give to each soldier so enlisted, or to the proper representative of the same, a sum of money equal to the highest amount paid by the State to volunteers during the late war, less whatever sum any soldier shall have already received as bounty from the said State of Michigan.

As a truth, some of the soldiers who entered the service from the State of Michigan, received liberal State bounties, receiving at the same time large Government and local bounties, while others received neither State or local bounties, and but a small Government bounty. It would therefore seem that justice demands that at least a small portion of our means be granted to the brave men, who at their country's call, volunteered to fight her battles, and remained, such as survived the dangers of the camp and field, to see victory perched upon our noble banner.

Hoping this petition will meet with the favorable consideration which, in the opinion of your petitioners, justice and humanity demand, your petitioners will ever pray.

By Mr. Jewell: memorial of the Grand Rapids and Indiana railroad company.

On motion of Mr. Jewell,

The memorial was ordered printed in the journal, and referred to the committee on internal improvement.

The following is the memorial:

*To the Senate and House of Representatives of the State of Michigan:*

The Grand Rapids and Indiana Railroad Company respectfully represent:

That it is necessary to the further prosecution and completion of the work on their railroad that additional time should be granted to them to complete the first continuous forty miles of the road.

In making this application a candid statement of facts is due to the Legislature.

## ORGANIZATION.

This company was organized under its present corporate name, on the 22d day of July, 1857, by the consolidation, in pursuance of the laws of Indiana and Michigan, of three previously existing corporations.

## THE LINE AND ITS IMPORTANCE.

The consolidated company is fully empowered to construct, maintain, and operate a railroad from Fort Wayne, in the State of Indiana, to the Straits of Mackinaw, a distance of 352 miles.

The road has been surveyed and located from Fort Wayne, by Kendallville, Lagrange and Lima, in Indiana, Sturgis, Kalamazoo, Grand Rapids, Cedar Springs and Big Rapids, to Little Traverse bay, on Lake Michigan, and thence to Mackinaw.

Fort Wayne, a city of 23,000 inhabitants, is the point of intersection of the Pittsburgh, Fort Wayne and Chicago Railway, and the Toledo, Wabash and Western Railway—the one extending from Pittsburgh to Chicago, 467 miles; the other extending from Toledo, Ohio, to Keokuk, in Iowa, 490 miles. Fort Wayne is the most important town on these two great lines of Railway, between Toledo and St. Louis on the one hand, and Pittsburgh and Chicago on the other, and is rapidly becoming one of the most important railway centres west of Pittsburgh. Two other railroads are in construction from Fort Wayne to the Ohio river, one directed to Cincinnati, called the Fort Wayne and Cincinnati road; the other to Jeffersonville, called the Fort Wayne and Southern road; and another is in construction East, from Fort Wayne, via Tiffin, Ohio, called the Cleveland, Fort Wayne and Chicago road.

The Grand Rapids and Indiana Railroad, will therefore, when constructed, place the western half of Michigan in direct connection with an important railroad centre, opening to it new and eligible routes for passengers and traffic to central Ohio and Pennsylvania, and to the seaboard at New York, Philadelphia and Baltimore, via Pittsburgh, and to Cincinnati, Louisville

and the Southern States, and to the Wabash Valley and central and southern Illinois. It will form a continuous line, in connection with the Pittsburgh, Fort Wayne and Chicago Railway, of 670 miles from Mackinaw to Pittsburgh, and with the Pennsylvania connections of that road, a line of about 1,100 miles from Mackinaw to New York. At the same time, the connections of the Grand Rapids and Indiana road, with the Michigan system of railroads, viz: the Michigan Southern Air Line at Kendallville, the Michigan Southern Main Line at Sturgis, the Michigan Central at Kalamazoo, the Detroit and Milwaukee at Grand Rapids and the Flint and Pere Marquette, north of Big Rapids, will secure to the people and business of Michigan a choice of routes, and consequent low rates of transportation east and west. Our road, it is apparent, is to be, not only a great north and south, but also a great east and west line, and one of the most valuable and important, as it will be the longest in the State of Michigan.

From Fort Wayne to Big Rapids, on the Muskegon River, a distance of about 195 miles, the country is mainly a well settled agricultural country. From Fort Wayne to Grand Rapids, 140 miles, is one of the finest and best developed agricultural regions in the Northwest. North of Big Rapids, the line of the road traverses the well watered, finely timbered, and fertile lands of Northern Michigan, containing as yet undeveloped elements of railway traffic, and at Traverse Bay and Mackinaw it will be brought into connection with the water transportation from the ore regions of Lake Superior. At Grand Rapids, and north, are exhaustless beds of gypsum, which will furnish a large business for the road. The transportation of pine lumber and plaster may for many years be relied upon as an unfailing source of revenue, and the revenue will be increased beyond any present data for estimates with the settlement of the fertile and healthy country which the building of the road will open to immigration.

The immense value of the road in the development of Northwestern Michigan will not be questioned by any intelligent man.

The entire line of road is especially favorable for cheap construction and operation. The bridging will not be extensive nor expensive. The material for ballasting will be found in the road bed. There will be no tunneling nor rock excavations. The average of earth work will not exceed 16,000 yards per mile. There will be no gradients over one foot in one hundred, and no curves of less radius than half a mile. Timber and lumber for cross-ties, piling, bridging, buildings, &c., are abundant.

The cost of the road, as estimated by the Consulting Engineer, Mr. H. A. Gardner, Chief Engineer of the Pittsburg, Fort Wayne and Chicago Railway, will be \$8,108,769 68, or \$23,069 per mile for a first class road, fully completed and equipped for a profitable business.

#### THE FIRST LAND GRANT.

To aid the construction in part, "from Grand Rapids to a point on or near Traverse Bay," of this line of Railroad, Congress, by act of June 3d, 1866, granted to the State of Michigan "*every alternate section of land designated by odd numbers, for six sections in width, on each side of said road,*" the lands to be "in no case further than fifteen miles from the line of said road," and to be "*exclusively applied in the construction of that road,*" and "*to no other purpose whatsoever.*"

On the 14th of February, 1857, the State, by act of that date, conferred upon the Grand Rapids and Indiana Railroad Company, one of the corporations now merged in the consolidated company, the lands granted to the State to aid the road from Grand Rapids to Traverse Bay.

As soon as practicable after the consolidation, on 22d July, 1857, all the legal requisites were complied with, and the road located, so as to secure the selection and withdrawal from private entry of the lands covered by the grant; and the result was the setting apart for this road of about 679,000 acres of public land, within a strip of thirty miles wide, between Grand Rapids and Little Traverse Bay.



By the 19th section of the act of February 14th, 1857, the company was required "to complete and put in good running order at least twenty continuous miles of its road during each year after December 1st, 1857," and to complete the entire road within seven years after 15th November, 1857.

EXTENSION OF TIME BY THE STATE.

By act, approved February 3d, 1858, the time of completing the first twenty miles of the road was extended to December 1, 1859, and for completing the whole road, to 15th November, 1865.

Additional extension acts have been passed, as follows, viz.:

Act of February 12, 1861.

To 1 January, 1862, for 1st 20 miles.

To 1 January, 1863, for 2d 20 miles.

To 1 January, 1864, for 3d 20 miles.

Act of January 15, 1862.

To 1 January, 1864, for 1st 20 miles.

To 1 January, 1865, for 2d 20 miles.

Act of February 5, 1864.

To 1 January, 1866, for 40 miles.

The grant to the State, of June 3d, 1856, provided for the completion of the road by June 3d, 1866, on penalty of reversion of the grant to the United States.

ADDITIONAL GRANT.

On the 7th June, 1864, Congress, on the application, and through the efforts of this company, amended the grant of June 3d, 1866, extending it to a line of road "*from Fort Wayne, in the State of Indiana, to a point on the southern boundary line of the State of Michigan, in the township of Sturgis; thence by way of Grand Rapids, to some point on or near Traverse Bay,*" and enlarging the area from which the lands were to be selected, to twenty miles, instead of fifteen, on each side of the line of the road—the lands to be patented to the State, on the certificate of the Governor, as the road was completed in sections of ten

consecutive miles, "for so much of said lands as are located opposite to and co-terminous with said completed sections of said road."

The effect of the amended grant was to increase the quantity of land to aid our road from 679,000 to near 1,000,000 acres, and the lands under the new grant have also been withdrawn from entry.

As near as can now be estimated, the Company in the progress of its road for 160 miles north of Grand Rapids, will be entitled to receive land and convey title as follows:

1st twenty miles,	1,000 acres.
2d " "	57,120 "
3d " "	53,366 "
4th " "	148,366 "
5th " "	226,400 "
6th " "	194,986 "
7th " "	146,900 "
8th " "	113,680 "
Total,	941,818 "

#### EXTENSION OF TIME ON CONGRESSIONAL GRANT.

On the third of March, 1865, Congress also upon the application and through the efforts of this company, extended the time for the completion of our line of road as covered by the grant, to June 3, 1874.

On the 10th day of March, 1865, the State, by act of that date, conferred the additional grant upon this company, subjecting it, however, to all the conditions, as to time imposed in the first act of Feb. 14, 1857, and its supplements.

To this company is due, not only the addition by Congress, of over 300,000 acres, as means for building of our road, but also the fact that the State itself is able to hold the entire grant until 1874, instead of its being forfeited by the expiration of the original grant on June 3, 1866.

It has been most unfortunate for all concerned, that the State, when it conferred the additional grant, on 10th March, 1865, the war being then still pending, did not liberally extend the

time for construction, so as to carry the company into more favorable circumstances for its financial negotiations.

Such is the legislation in regard to this company. On its face it would seem to have been adequate to secure the construction of at least some part of the Grand Rapids and Indiana road.

It is not the purpose of this Memorial to comment in detail upon the past history of the company, for the past cannot be recalled, but simply to state what it has done, its present condition and prospects, and the main causes of its past defaults.

Before doing this, however, these points are respectfully suggested:

1. The lands granted by Congress must be inviolably applied to aid a railroad upon the route from Fort Wayne to Little Traverse Bay, defined in the grant, and now covered by the corporate franchises of this company. There is no power in the Legislature to divert the lands, or their proceeds, from that line, or to apply them to "*any other purpose whatsoever.*"

2. It is a grave question whether the Legislature has any power to declare the grant to us forfeited, without judicial proceedings first had. All principles of equity are against forfeiture. The company, in legal contemplation, is a purchaser, for a valuable consideration, of the granted lands, and even if the lands can be taken from it by the Legislature, or judicial process in behalf of the State, it can only be done upon full indemnity for all expenditures of the company upon their work, in faith of the grant. The justice of such indemnity is apparent, in view of the fact that not only individuals, but municipal corporations, have expended large means, and incurred large liabilities, for the road. Municipal subscriptions or pledges have been made, in aid of the road, to the amount of \$371,000. Town bonds have been issued, and their proceeds expended in work, to amount of \$76,000, between Sturgis and Kalamazoo.

3. Any attempt by the State to act as financial agent or trustee, as proposed by some, in the sale of the lands or distribution of their proceeds, would establish a dangerous precedent, and result in practical difficulties, both to the State and the work

itself, almost certain to delay, embarrass, and probably defeat the grand object of the grant, viz: the construction of a continuous single railroad from Fort Wayne to Traverse Bay. The State can have no other interest than the earliest possible completion of the road. That end will best be secured, for aught that yet appears to the contrary, through the practical instrumentality of this Company.

4. No other party or organization is before the Legislature having any right to, claim upon, or power over the land grant. No corporation except this Company exists, with power to build a road upon our line, the line of the grant; and if the grant were now taken from us, on whom could it be conferred, and what guaranty has the State that it would be better used than by this Company? *Extended time* would be necessary to any party assuming to build the road, and no party could show as much progress as we can show. Not only all rights and equities in the past, but prospects in the future, are in favor of this Company, as against any other party.

#### THE EXECUTIVE MANAGEMENT.

From the organization of the company until April, 1866, Joseph Lomax was its President. In April, 1866, he gave way to the late Samuel Hanna, of Fort Wayne, then Vice President of the Pittsburgh, Fort Wayne and Chicago Railway Company, a man of wide reputation for wealth, integrity, ability and railroad experience. He was acknowledged by all as the principal citizen of Fort Wayne. He died suddenly on the 11th of June last, having but initiated his efforts in behalf of the road. On the 3d of July last the undersigned became President of the company. Its Secretary and Treasurer is Samuel T. Hanna, of Fort Wayne. The Board of Directors consists of George H. White, Grand Rapids; Joseph Lomax, Israel Kellogg, James A. Walter, Kalamazoo; Jonathan G. Wait, Richard Reed, Sturgis; George W. Geisindorff, Rome City; Pliny Hoagland, Joseph K. Edgerton, Fort Wayne.

## WHAT THE COMPANY HAS DONE.

Up to the 11th day of June last, the date of the last published "exhibit," prepared under the direction of Mr. Hanna, of the condition and affairs of this company, it had, as appears by that "exhibit," disposed of capital stock,..... \$709,036 18  
 1st mortgage bonds,..... 111,000 00  
 And created a floating debt for..... 188,948 67

Total of liabilities,..... \$1,008,984 85

## Expended or applied as follows:

Work done equal to the earth-work and bridging

of 61½ miles,..... \$429,100 00

Right of way obtained,..... 50,000 00

Land grant expenses, interest, discounts, and all other expenses of management and incidental

expenses,..... 529,884 85

Total of expenditures,..... \$1,008,984 85

Since this "exhibit" was made, work has been in progress as rapidly as the small means of the company, derived from local aid alone, would admit. The aggregate of earth-work, bridging, ties, clearing, etc., done since the last session of the Legislature may be stated at \$150,000. This work has been done mainly between Kendallville, Indiana, and Kalamazoo, except about 20 miles of grading between Grand Rapids and Cedar Springs. The undersigned is assured that thirty days' work with an efficient force, would fit that section of twenty miles for the beginning and continuous progress of track-laying.

## MEANS PLEDGED FOR FURTHER WORK.

The unexpended means thus far pledged for the further prosecution of the work of grading, &c., are as follows:

Individual subscriptions in notes,

Kendallville, Indiana,..... \$99,540

Wolcottville, " ..... 16,000

Rome City, " ..... 5,000

Lagrange, Indiana, .....	\$59,343
Lima, " .....	19,000
Town and city subscriptions or pledges:	
Portage, Kalamazoo County, .....	10,000
Kalamazoo, " " .....	100,000
Gun Plains, Martin and Wayland Townships, .....	33,000
Grand Rapids, (City) .....	100,000
Towns North of Grand Rapids, .....	52,000
Total, .....	<u>\$493,983</u>

On the 29th September, ult., the Common Council of the city of Fort Wayne, upon petition, as required by law, of three-fourths of the resident tax-payers of the city, by resolution, pledged a corporate subscription of \$100,000 to the capital stock of this company, payable in bonds of the city, on condition —

1. Of the extension of time on the land grant.
2. Co-operation by the Pittsburgh, Fort Wayne and Chicago Railway Company in aid of this road.

On the 3d October, ult., the Board of Directors of the Pittsburgh, Fort Wayne and Chicago Railway Company, by resolution pledged the aid of that company in procuring the iron for the *first forty miles* of our road north of Grand Rapids, on condition —

1. Of our obtaining an extension of time for completing our road, so as to make it safe to put capital into the work, and
2. An adjustment of our financial affairs on a safe basis.

With a proper extension of time on the land grant, the undersigned has no doubt of the ability of this company to fulfill the conditions imposed by the city of Fort Wayne, and the Pittsburgh, Fort Wayne & Chicago Railway Company, so as to entitle us to the promised aid, equal to about \$450,000. The value of the pledge of the Pittsburgh, Fort Wayne & Chicago Railway Company, will be appreciated by all who know the financial strength of that company, and its relations to our road. Its road extends from Pittsburgh to Chicago, 467 miles, and its

annual earnings range from \$7,000,000 to \$8,000,000. The value of the pledges of the city of Fort Wayne, and the Pittsburgh, Fort Wayne & Chicago Co., are further apparent in the fact that they are to aid in laying iron at a point 140 miles distant from Fort Wayne,—an expenditure *valueless to them until our road is completed* between Fort Wayne and Grand Rapids.

The undersigned is confident that when the grant is secured to us by an extension of time, large additional local aid for grading, &c., can be obtained from Fort Wayne to Grand Rapids. He feels warranted in pledging Fort Wayne for at least \$100,000 for that purpose.

Overtures have also been made to other corporations, having a deep interest in our road, and able to help it, and confidence is felt that such aid, in some substantial form, will be given, especially on the division of the road between Kalamazoo and Grand Rapids; but it cannot be expected without the extended time, we ask for completion.

In addition to these subscriptions, and pledges, and reasons for confidence in the further rapid progress of our work, the undersigned has procured means adequate to buying iron for the section of the road between Grand Rapids and Cedar Springs, and 480 tons of the iron were bought, on the 28th ult., in New York, to be shipped, with all possible dispatch, to Grand Rapids, and are now daily expected. Three sufficient reasons for delaying purchase of additional iron, existed: The prospect of a material fall in its price, the very high rate (\$19 60 per ton,) of all rail freight—nearly double the rate by water,—and the impossibility of using all the iron before the opening of navigation. The residue of iron for the first twenty miles of road, can, and will be bought as soon as it can be used, and if the desired extension of time is obtained, twenty miles of road, north of Grand Rapids, will be laid as soon after the opening of spring as practicable.

Since the first day of January, 1866, this Company has been laboring under deep embarrassment and disability for financial negotiations, on account of the expiration of extended time on

the land grant. This fact, and the necessity of strengthening the general financial credit of the Company, for obtaining the means for its large wants, for construction, dissuaded the managers of the Company from making any new contracts for grading or other work. They were unwilling to contract for work while a dangerous contingency hung over the land grant, and without means provided to pay for work when done. The local pledges or subscriptions above stated were mostly conditional. A majority of town bonds, as in the case of Kalamazoo, were to be issued only on completion of the road; others, as in the case of Grand Rapids, as the road was made ready for the iron within that city; others, as at Kendallville, Indiana, on estimates, as the work progresses. To enter into contracts for small sections of work, and to demand payment from unwilling subscribers, or to rely on aid trammelled with conditions making it practically of little avail, while the condition of the Company's land grant, rendered uncertain its ability to complete the road, seemed to be neither prudent nor honorable. Until the Legislature of Michigan had shown its faith in the enterprise and its management, by a liberal extension of time and consequent protection to the grant, the undersigned could not honorably solicit nor hope for large advances or pledges of money otherwise than on conditions dependent on the favorable action of the Legislature.

#### FUTURE OPERATIONS.

The completion and equipment of the road will involve an outlay in the next three to four years of near \$8,000,000. To provide so large a sum demands a broad and substantial basis of credit. The confidence of monied men must be secured.

Upon the proposed extension of time to complete the road, the case of the company will stand substantially thus:

A capital stock account of.....	\$708,000
First Mortgage Bonds sold,.....	111,000
Floating debt of about.....	200,000
	<hr/>
	\$1,019,000



Its means will be:

1. A land grant of near 1,000,000 acres, constituting, with the road, an ample security for a loan of capital equal to the completion and equipment of the road.

2. Right of way obtained equal to \$50,000.

3. Work done equal to \$450,000.

4. Local aid pledged, \$494,000.

5. Fort Wayne city subscription pledged, conditionally, \$100,000.

6. P., F. W. & C. R'y Co. aid pledged, conditionally, for iron, equal to \$350,000.

The efforts of the undersigned, since he became connected with the road, have been directed not so much to immediate work in small sections, and at points dictated by mere personal and local interests, or to impracticable efforts to sell bonds, as to laying the foundation and paving the way for a financial credit, to obtain capital for all wants of construction.

Keeping in view what has already been done and pledged to be done, the plan of the company for future progress calls for

1. An extension of time to complete the road, so as to give confidence in the company's title to its lands.

2. A proper adjustment of the capital stock account.

3. Provision for funding, or other extinguishment of the floating debt.

4. The canceling of the two classes of bonds, heretofore provided for by the company, but mostly remaining unsold on their hands, viz:

1. The class of January 1, 1860, intended to be for \$5,000,000, most of which are yet unexecuted. The mortgage securing these bonds covered the first land grant, and the whole line from Fort Wayne to Grand Rapids.

2. The class of January 1, 1861, intended to be for \$7,500,000, of which \$4,500,000 were to be a lien on the land grant and road North of Grand Rapids, and \$3,000,000 on the road from Fort Wayne to Grand Rapids. In providing for these bonds, it was the purpose of the company to cancel the first class of

\$5,000,000. Of the second class of \$7,500,000, but the \$4,500,000 were ever executed, and of these, none were sold.

Of the two classes of bonds proposed, \$111,000 of the class of January 1, 1860, as above shown, have been actually sold. Others of both classes are held as collateral security on floating debt, but it is expected that the whole can soon be brought into the hands of the company for cancelment. The reasons for cancelling these bonds are:

1. Their date, six and seven years ago, and consequent too early maturity to meet the views of large investors in such securities.

2. That neither class, separately, are sufficient to provide the necessary capital to complete the road, and they cannot be sold together, for the second class was intended as a substitute for the first, and not in addition to it.

3. The mortgages and bonds of both classes were authorized and made before the additional grant of 1864, and do not therefore embrace it.

It is therefore proposed, so soon as practicable after the extension of time is obtained, to prepare a general mortgage, in a form attractive to capital, of the company's land grants, and road, to secure bonds for an amount equal to the probable cost of the road, completed and equipped for business. These bonds will be used, so far as necessary, to take up the bonds of the first class sold, and to extinguish the floating debt, by funding; and the residue will be used for money, iron, and other needs of construction and equipment.

The land grants, the work done, and the prospective value of the road, completed, will constitute an ample security for these bonds, and secure their sale or negotiation.

Overtures have already been made to the company, from experienced and reliable parties, and are now under consideration, for contracts to construct the whole road, based upon the negotiation of the proposed new bonds, and it is the confident expectation of the undersigned, that within two years and a half, the division of our road from Fort Wayne to Big Rapids,

on the Muskegon, a distance of near 200 miles, will be completed for business, and the residue within four years.

The proposed mortgage will, of course, provide for the sale of the lands, for purpose of settlement, so soon as this company shall have earned and paid for them, by building the road, and for the use of the bonds in payment for lands, with all necessary guaranties for perfecting title in the purchasers.

To consummate the plans in view, time, and much labor, are required. A mortgage must be made, and recorded in all the counties from Fort Wayne to Mackinaw, bonds printed and executed, maps and exhibits prepared, and all the preliminaries of a large railroad loan perfected. Before the bonds are fully ready for market, it is expected to have at least twenty miles of the road in operation, as an additional guaranty to capitalists.

#### CAUSE OF PAST DEFAULTS.

Many considerations may be urged palliative of the past defaults of the company in fulfilling the requirements of the Legislature, as to time:

1. It may well be doubted, whether at the time the grant was conferred upon this Company, in 1857, the public interests really demanded or were ripe for the construction of a railroad from Grand Rapids to Little Traverse Bay. The part of Michigan north of Grand Rapids was too sparsely settled, and too little known, to induce capital to seek investment in a railroad, leading into it, and the local interests south of Grand Rapids did not then appreciate the value of a road from Grand Rapids to Fort Wayne. The two important roads intersecting at Fort Wayne, were then incomplete, and were struggling with financial difficulties in construction. Railway interests in Michigan, now highly prosperous, and looking for important benefits from our own road, were then engrossed with their own wants and work, and unable to help our enterprise.

2. It is palpable that under the terms of our grant, the company could make the lands available for constructing the road, only by anticipating their value by a mortgage loan. It could

not sell or make title to an acre of the land until it had paid for it by building road opposite to it. Therefore, after the grant was obtained, time was required to put it in shape at the General Land Office, to make surveys, maps, a mortgage and record it, prepare and execute bonds, and do other needful work preliminary to negotiation of a loan. In September, 1857, the financial revulsion of that year commenced, almost wholly destroying the credit of the railroad companies of the country, and forcing a suspension of many very important roads. This discredit continued up to near the commencement of the war, in 1861. During this whole period the political condition of the country foreboded trouble, and capital was very cautiously and scarcely at all invested in any new railroad project. It was next to impossible to negotiate new railroad bonds. All men having any experience in railroad negotiations at that time know this. Near the close of 1859 the company unfortunately was brought into connection with the firm of Samuel Hallett & Co., of New York, who undertook to carry out negotiations for the construction of the whole road. This connection resulted in the preparation of the two classes of bonds already referred to, and fruitless attempts at their negotiation under Hallett's auspices. After a course of reckless, if not fraudulent speculations, Hallett & Co. failed, pending the war, leaving the company with its bonds unsold, its fruitless expenses increased and its credit impaired.

3. During the progress of the war, from 1861 to 1865, the public attention, the physical force and money of the country were largely absorbed in the suppression of the rebellion. The unsettled lands of northern Michigan were not sought for, for settlement and capital did not seek investment in projected railroads. They were forced to wait more auspicious times. This company was not an exception. It was impossible to negotiate bonds for it during the war, and both the company and the Legislature should have recognized that impossibility. It was before the close of the war that the additional grant was obtained, viz: on 10th March, 1865, and the last extension of

time, viz: February 5, 1864, was obtained. During all this time, from 1857 to 1865, the Company was held by the State to a stringent limitation of time, requiring it to do what was not possible. The result was a gradually accumulating financial discredit, and the odium of broken promises, which discouraged the hopes and efforts of the best friends of the enterprise. The close of the war, and the returning prosperity of the country during 1865, renewed hopes and efforts for the road. Work started, and negotiations attempted, but before much could be done, the first day of January, 1866, brought the expiration of the time to complete forty miles of the road as required by the last extension act of 1864, with no road made. It was then the Directors of the road enlisted the services of Mr. Hanna as President. The progress made and causes of delay since, have been already stated.

The case of the company, thus imperfectly stated, is respectfully submitted to the Legislature, with the hope that under new auspices and efforts, a new probation may be extended to a corporation charged with the construction of a grand public work, and which, though sorely embarrassed by severe conditions, and the unavoidable delay of years, has nevertheless preserved its vitality, and made valuable progress, and is now prepared, with the coöperation of the State, through this Legislature, to carry on its work with energy and success.

JOSEPH K. EDGERTON,

*Pres't G. R. & I. R. R. Co.*

LANSING, January 11, 1867.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend section six, of chapter twenty-seven, of the revised statutes of 1846, being section 1103 of the compiled laws, relative to repairs of bridges by highway commissioners,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. L. Smith,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

Joint resolution authorizing the Governor to execute the certificate of non-incumbrance and surrender of the lands on the original line of the Marquette and Wisconsin State Line Railroad,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to incorporate the Central Michigan Agricultural Society,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

O. H. FELLOWS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kedzie,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred the petition of D. B. Harrington and 27 others, asking that the name of Ft. Gratiot, St. Clair county, be changed to Keosao,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to change the name of the town of Ft. Gratiot, St. Clair county, to Keosao,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend an act entitled an act to connect the Duncan, Alpena and Sauble river State road with the East Saginaw and Sauble river State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman*.

■ Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 4, of title 4, of an act to revise the charter of the city of Lansing, approved March 17, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of B. A. Wing and 77 others, to enlarge the corporate limits, and establish the boundary of the village of Galesburgh;

Also,

A bill to enlarge the corporate limits, and establish the boundary of the village of Galesburgh,

Respectfully report that they have had the same under consideration, and have directed me to report the bill, which is in accordance with the prayer of the petitioners, back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend act No. 288, of the session laws of 1865, en-



titled an act to authorize the formation of mechanics' and laboring men's associations, approved March 28, 1865, and also to amend the title to said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mickley,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 17, entitled

A bill to authorize school district No. 8, of the township of Hillsdale, in the county of Hillsdale, to borrow money and negotiate its bonds therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Boies,

The bill was placed on the order of third reading.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking the General Government of the United States for an appropriation, in money, for the construction of a harbor at the mouth of the Ontonagon river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. E. MICKLEY, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred,

A bill to legalize the action of school district number five, in the township of Lowell, in Kent county, in raising money to build a school-house therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the action of the township of Lowell, in Kent county, in raising money to build a bridge across Grand River, in said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of Norman Clark and others, of school district number two, of the township of Superior, in the county of Washtenaw, praying for authority to issue the bonds of said district for the purpose of building a school-house therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled—

A bill to authorize school district number two, of the township of Superior, Washtenaw county, to issue the bonds of said district for the purpose therein mentioned,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 5654 of the compiled laws, relative to fees of jurors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

## REPORTS OF SELECT COMMITTEES.

The special committee to whom was referred a joint resolution requesting our Senators and Representatives in Congress, to take such steps as shall be suitable and necessary to insure the passage of a bill by that body, to secure the speedy construction of the Northern Pacific Railroad and Telegraph line, have had the same under consideration and have directed me to submit to the House the following report:

The original act of Congress incorporating the Northern Pacific Railroad, was passed in July, 1864. By the terms of this act, the eastern terminus of the road is on the western shore of Lake Superior; its western, on the Pacific coast, at Puget Sound. It will run through the State of Minnesota, thence through the Territories of Dakota, Montana, Idaho and Washington, with a branch, via the valley of the Columbia River, to a point at or near Portland, Oregon, making its length about 1800 miles.

To aid in the construction of this proposed road, Congress granted the right of way, and made donations of the public lands amounting to twenty sections per mile, in the States, and forty in the Territories.

From data deemed reliable, the first 1,000 miles of this road, starting from Lake Superior, will not be difficult of construction, so far as the character of the surface is concerned. The remainder, embracing the mountainous portion, will be more difficult and expensive.

The average cost per mile, where the surface is the same, will of course exceed that of railroads in our western States, for the reason that wages, supplies, and the expense of hauling materials for the superstructure, will be much higher.

The estimated cost of the road, equipped and ready for use, is about \$144,200,000. Of this sum, the stock-holders are to furnish, according to the plan proposed, every dollar, be the same more or less.

It was supposed, at the time this company was incorporated, that the public lands granted to it, would furnish, financially,

an ample basis for its construction; but such changes have taken place since that time, that it has become apparent that they do not offer any such inducements as will insure the indispensable co-operation of large capitalists, either in the United States or in Europe. Their value is contingent upon the construction of the road, and other investments, in the turn of events, are, for the present, more inviting.

To overcome this difficulty, and to aid it in the accomplishment of this great national work, this company asks, and the bill referred to in the resolution provides, that the government shall guarantee the payment of the interest, at six per cent. per annum for the period of twenty years, on a certain portion of their capital stock, on the completion of each twenty-five miles of road. The number of shares per mile, the interest on which the government is asked to guarantee, varies with the cost of construction between different meridians. For the first 400 miles or thereabouts, from Lake Superior, the number of shares is fixed at 249 per mile; for the next 620 miles, at 320 shares per mile; for the next 520 miles, (the mountain district,) at 989 shares per mile; and for the remainder, being about 260 miles along the difficult region of the Pacific slope, at 570 shares per mile, amounting, in the aggregate, to 960,480 shares, representing \$96,048,000, and requiring a guaranty for the average sum of only \$5,762,880 per annum for twenty years.

To meet the interest thus guaranteed, and to indemnify the Government for any advances it may make on account of it, the bill provides that the company shall pay into the treasury of the United States, semi-annually, so much of the proceeds arising from the sales of the lands on the southerly side of the line of the road, donated to the company by the Government, as shall be necessary for the purpose, and in case of any deficiency, it is to be made up out of the annual net earnings of the road, not exceeding one-quarter part thereof, dating from the "completion of the road, according to the provisions of its charter, so that its cars shall run from its eastern terminus to Puget Sound."

Here the following questions naturally arise: By the aid of the guaranty contemplated in the bill, could this road be built? Will it be built if the guaranty is given? Is it safe for the Government to give it, and if so, is it best?

In considering these inquiries, it seems to be proper to correct, in the outset, a prevalent misapprehension, namely: That the region which this road is to traverse, is inhospitable; in short, too cold and barren to be inhabited, to any considerable extent, or for civilization to exist in the forms which it has assumed in lower latitudes. This is a gross mistake.

It is true, as a general rule, that the average annual temperature of places upon the earth's surface, diminishes as the distance from the equator increases; yet this relation is frequently varied, by local and other causes, such as proximity to mountains and the sea, or to large bodies of water, the elevation above the ocean level, the direction of the prevailing winds, and the character and temperature of the surface over which they pass.

The mean annual temperature of places on our Atlantic coast is known to be many degrees lower than it is in places in the same latitude on or near the western coast of Europe. Paris is in latitude 48 degrees 50 minutes N. New York city is in latitude 40 degrees 42 minutes N.; still Paris has the same mean annual temperature with New York city, although the former is situated about 565 miles north of the latter. Labrador extends down to the 50 deg. north latitude, and is a frozen region, while Ireland lies between 51 deg. 30 minutes, and 55 deg. 30 min., north latitude, and has a genial climate, and is one of the most productive portions of the globe. Aberdeen, Scotland, is about 700 miles further north than Quebec, and upward of 1,000 miles further north than Lansing, Michigan; yet the climate of Aberdeen is mild, and planting is done in the country about it in the month of March; and roots, such as the yellow turnip, are left in the ground throughout the winter, without receiving injury from frost.

Again: If an isothermal line be traced, it will be found that

the salubrious, fertile, populous, wealthy, and right glorious valley of old lake Champlan, has the same mean annual temperature with the country about Rainy Lake, the lake of the Woods and with the prairie-plains of the Saskatchewan, north of the national boundary, and also with the elevated country in Montana Territory, near the Rocky Mountains, at the source of the Missouri river.

The mean annual temperature at the mouth of the Columbia river is 5 deg. higher than at Pittsburgh, or in the central portions of Ohio and Indiana, and the temperature of Puget Sound is as mild as that of Baltimore. At Cantonment Stevens, in the mountain pass, which is about 3,500 feet above the level of the sea, the mean annual temperature is the same as at Albany, New York.

From these data it is to be inferred that the temperature of the country through which the Northern Pacific Railroad is to run, is as favorable as that of New England, and probably more so.

Again: According to the highest authority, observations made during a series of years, show that the amount of snow which falls during each year, about the head waters of the Missouri, and westward to the Rocky Mountains, is only about one-fifth part as great as the amount falling in Massachusetts.

It is clear, then, that the route of the Northern Pacific Railroad is a feasible one, so far as climate is concerned, and whatever depends upon it.

*Again, as to the productive capacity of the country to be affected by this road:* The country on the southerly side of the national boundary, from which the road is to receive the bulk of its local business and support, is vast in extent—equal to eleven States of the size of the great State of Pennsylvania. The facts of experiment and observation show, (the climate being salubrious,) that the soil is productive in vegetables, the grasses, and all cereal grains; is for the most part easy of cultivation, and capable of sustaining a population as large, in proportion to its extent, as the Eastern States.

The mineral resources of this immense region, including iron, coal, and the precious metals, are equal, if not superior to any other portion of the known world. The same is substantially true, at least in an agricultural respect, of a belt of country, extending several hundred miles north into the British possessions, embracing the extensive valleys of the Red River and the Saskatchewan, so well known for their fertility,—especially for their wheat-growing capacities. This choice belt, several hundred miles in width, runs parallel with the line of this road, from near Lake Superior to the Pacific, to and from which this road will be the chief medium of access and egress.

In view of these facts, with regard to the climatology and abounding natural resources of this part of the country, in connection with the history of other land-grant railroads, it is the opinion of those best qualified to judge, that one-half of these lands, at least, can be sold as fast as the road is constructed, at the average price of \$2 50 per acre: provided, however, that the construction of the road is commenced under such auspices, and prosecuted with such judgment and vigor as to insure its early completion.

*Again, as to local and through business, and consequent net earnings:* From the showing thus far made, it must be evident to such as are conversant with such matters, that this road, when built, must have, in a comparatively short time, a large local business. It will create it, the same as other roads have done, by inducing settlements and the development of the various resources of the country in its vicinity.

The country through which it is to pass yielded \$35,000,000 of gold in 1865. With the facilities for transportation and travel furnished by a railroad, the product would be increased many fold.

The through business of this road must be as large, or larger, relatively, than the local, as the following particulars denote:

The eastern nations of the other half of the globe, teeming with population, confront its western terminus. It is stated by



as competent and as trustworthy authority, as this or any other country can claim, that the distance from Changhae to New York city, via the route of the Northern Pacific Railroad, and roads to connect with it, is 1500 miles shorter than by the Union Pacific, provided the course be deflected so as to touch the Sandwich Islands, and 2,000 miles shorter if not thus deflected.

The point where this road will cross the Rocky Mountains is, fortunately, much depressed, the altitude being some 2,500 feet less than that of the South Pass, where the Union Pacific is to cross.

The grades on this road will be comparatively low, the curvatures moderate and the line short, so that it can be easily and quickly run, thus gaining to itself an advantage of several days over the Central road in going from the eastern coast of Asia, to New York city.

The intercourse of Europe with the nations of Eastern Asia, is already extensive and fast increasing. Much of it, both of travel and transportation of merchandise, can be accomplished quicker, and with less expense, by crossing the Atlantic and taking this great national highway than by any other method.

Both the local and through business of this road, will be much enhanced by its connection with the great chain of lakes and numerous long navigable rivers.

In view of these and similar facts, the conclusion is plain, that the through business of this road must naturally partake of the importance of our now extensive, but rapidly growing intercourse with the eastern nations of the other hemisphere, and likewise of the importance of the intercourse of Europe with the same nations.

It is the opinion of railroad men of the greatest experience and the most reliable judgment in such matters, that, for the reasons now referred to, the business of this road will become, in a short time, immensely large—its net earnings not coming short of \$16,000,000 per year, for the first twenty years after the road is finished and equipped ready for use.

With these prefatory observations, we are now prepared to

submit the following statement as affording a satisfactory affirmative answer to the inquiries which were said to naturally arise, as to the feasibility of this railroad project, and the probability of its being carried out in case the guarantee asked for is granted, and, if probable, the expediency of giving the guarantee.

#### FIRST DIVISION.

This extends from Lake Superior to the 101st meridian, a distance of about 400 miles, of which 250 miles, by estimate, are in State limits, the remaining 150 miles in territorial. The means for and cost of constructing and equipping the first division may be stated thus:

Means: stock, on which interest is to be temporarily guaranteed.....	\$6,225,000
1,600,000 acres of land, at \$2 50 per acre..	4,000,000
stock, on which interest is to be temporarily guaranteed for the remaining part of first division, 150 miles.....	3,735,000
1,920,000 acres of land, at \$2 50 per acre...	4,800,000
Total means for first division.....	<u>\$18,760,000</u>
Cost of construction and equipment of first division, say, at \$40,000 per mile.....	16,000,000
Excess of means for first division over cost.....	<u><u>\$2,760,000</u></u>

#### SECOND DIVISION.

This extends from 101st to 111th meridian; distance, say, 620 miles.

Estimated cost, \$60,000 per mile.....	\$37,200,000
Means: stock with interest temporarily guaranteed.....	\$19,840,000
7,936,000 acres of land at \$2 50.	19,840,000
	<u>39,680,000</u>
Excess of means for second divis'n over estimated cost	<u><u>\$2,480,000</u></u>

## THIRD DIVISION.

This reaches from the 111th to the 119th meridian; distance, say, 520 miles.

Cost per mile (the mountain district) estimated at

\$125,000.....\$65,000,000

Means: stock, with interest temporarily

guaranteed.....\$51,428,000

6,656,000 acres of land at \$2 50. 16,640,000

————— 68,068,000

Excess of means over cost of third division..... \$3,068,000

## FOURTH DIVISION.

This extends from the 119th meridian to the western terminus of the road; distance about 260 miles.

Cost per mile, \$100,000 on the hilly Pacific slope, ....\$26,000,000

Means: stock, with interest temporarily

guaranteed ..... \$14,820,000

3,328,000 acres of land, at \$2 50. 8,320,000

————— 23,140,000

Excess of cost over means for fourth and last division. \$2,860,000

Excess of means for 1st div'n, over cost, brought forw'd \$2,760,000

" " 2d " " " 2,480,000

" " 3d " " " 3,068,000

Total... ..\$8,308,000

Deducting the excess of the cost of the fourth or last division over the special means provided for its construction from the excess of the means over the cost of the first three divisions, and it leaves a balance of means, over total cost of the road, of.....\$5,448,000

But it is to be borne in mind that this calculation, resulting in this surplus on paper, proceeds on the supposition that the

cost of the road will not exceed these estimates; that the land, good, bad and indifferent, will bring the average price of \$2 50 per acre, after deducting all expenses attending sales and collections; that the lands can be sold so as to be available for building and furnishing the road; that this surplus, thus derived, is the only fund for these and other contingencies, which amounts to less than four per cent. on the estimated cost of the undertaking—a small allowance; and that the stockholders, and not the Government, are to furnish the money for this stupendous public work. This they can and will do, in the judgment of solid men of the Eastern States, if backed by the Government in the manner proposed in the bill. This seems to be placed beyond doubt.

But the question may be still pressed: Is it safe for the Government to give the guaranty asked for? In other words, would the company be able to furnish the means to meet the interest, as it shall become due? Or if, for any year, the Government should advance it, is it certain that the road will be able to refund it?

To meet this interest the bill, as we have seen, in effect sets apart, first one-half of the lands,—say 21,440,000 acres,—ceded to the company, and second, one-quarter part of the net earnings of the road, from the time it shall be completed and in operation.

We have also seen that in the opinion of men most competent to judge, these lands, (the road being built, or its building commenced, and its completion insured,) will bring, on an average, \$2 50 per acre, and that its net earnings will be, even for the first twenty years, not less than \$16,000,000, of which \$4,000,000 will be applicable to the payment of the guaranteed interest, if need shall be.

It is also to be noted here, that the charter requires the road to be completed and equipped by the 4th day of July, 1876. This will require the construction, on an average, of 180 miles

yearly for ten years, commencing on the 4th day of last July. We will suppose that this will be regularly done, by the aid of the indorsement of the Government, as contemplated in the bill.

It should be remarked further, that although one-half of the ceded lands may be sold as fast as the road shall be finished and operated, yet the money may not, and probably would not all be paid in so fast as that. We will suppose that *one-tenth* of the lands will be paid for yearly, so far as the road shall be made.

Now, by making the proper computations on these data, it will be found that the collections from sales of the lands set apart for that purpose by the bill, will meet the guaranteed interest while the road is in the process of construction, leaving about half of these specific lands unsold, or if sold, about half of the purchase money uncollected, so at the end of the ten years, when the road is to be finished and in operation, the interest will be paid up to that time, and from that date on there will be not only the yearly collections from the sales of the remaining lands and from remaining land contracts, with which to meet the accruing interest, but also one-quarter part of the annual net earnings of the road, namely, \$4,000,000. These funds will, from year to year, far exceed the interest. And at the end of twenty years the interest will thereafter fall off yearly, to the same extent that it increased from year to year while the road was being constructed, and at the end of thirty years from the day the first guaranty shall be given for the first 25 miles of road made, the guarantee of the government will be exhausted and so expire, and the interest will then cease, the government not having been obliged to advance a dollar on account of its indorsement, as the following tables will show:

	Amount of Interest to be paid each year, commencing in 1868, and ending in 1877, when the Road is to be in operation from end to end.	Amount of Collections from Lands each successive year, till the Road is in operation, estimating that ten per cent of the estimated value of the lands on which the interest is to be secured will be paid in, yearly.
1st year, 1868,.....	\$268,920 00	\$288,000 00
2d year, 1869,.....	537,840 00	752,000 00
3d year, 1870,.....	866,400 00	1,328,000 00
4th year, 1871,.....	1,211,700 00	1,904,000 00
5th year, 1872,.....	1,557,600 00	2,480,000 00
6th year, 1873,.....	2,144,040 00	3,056,000 00
7th year, 1874,.....	3,212,160 00	3,632,000 00
8th year, 1875,.....	4,280,280 00	4,208,000 00
9th year, 1876,.....	5,172,280 00	4,784,000 00
10th year, 1877,.....	5,762,880 00	5,360,000 00
Total,.....	\$25,014,100 00	\$27,792,000 00

This computation shows, that at the end of the tenth payment of interest, there will be a balance left in favor of the company of \$2,777,900.

For the next ten years thereafter, the in-

terest will be, yearly,..... \$5,762,880

The average yearly receipts from lands

set apart for the payment of interest,

will be the mean while,..... \$2,750,400

And from the net earnings of the road,

annually,..... 4,000,000

Total yearly receipts for the ten years,..... \$6,750,400

Annual surplus,..... \$987,520

In the ten years, this will amount, exclusive of interest, to \$9,875,200.

At the end of this period, namely, in twenty years, the receipts from these particular lands will cease, being all paid for; but thence on, the yearly interest will fall off as fast as it increased, and will terminate the tenth year; but the net earnings of the road will be yearly advancing.

Thus, the road will pay the interest guaranteed, from first to

last, under fair management, which we are bound to presume will be had.

But it may be asked: If these things are so, why does the company need the guarantee of the Government, asked for? They need it in order to get the great amount of money necessary to build the road, and so bring about these stupendous results. They need it for the same reason, substantially, that a man rich in property and prospects, needs and must have an indorser, in order to get money enough to make his property and prospects available. The company does not ask this guaranty of the Government, as those who are not able to protect and save the Government harmless on account of it. Nor do they come to a stranger, an uninterested, indifferent party. They come to the chief party in interest—to one that can lose nothing by the undertaking, but gain numerous advantages of very great national importance:

1. The lands belonging to the Government, within the ceded belt, amount to 42,880,000 acres. According to the best authority, these lands, if the road was now in operation, would readily bring, on an average, \$2 50 per acre, making the sum of \$107,200,000; whereas, without the road, very little, comparatively, will ever be realized from them by the Government.

2. The Government pays, every year, an immense sum for transporting military stores and Indian goods into the territories through which this road would run. Freight from St. Louis to Fort Benton is from \$350 to \$400 per ton; to Helena, in Montana, from \$500 to \$600 per ton.

In the year 1865, the Government paid for transportation of military stores, westward across the plains, \$6,388,856 37. By the use of this road, as a means of transit, much of this great expenditure would be saved, which would go far towards paying the interest embraced in the guaranty proposed.

3. This road will cause the vast region of country which will be immediately accommodated by it, to be speedily settled and cultivated, its mineral treasures to be developed, and its dormant wealth made available for the purposes of business and

comfort. The institutions, and all that appertains an to advanced condition of society, will rapidly follow. Thus the population, taxable property, resources and strength of the nation, whether for peace or war, will be immensely augmented.

4. Both the general government, and the individual States, regard immigration to this country as a matter of national importance, and are at great pains and expense to promote it. But this road, by opening and perfecting a direct, short, and cheap medium of transit and communication between all parts of this country, and the over-crowded populations of the eastern nations of the old world, confronting our Pacific coast, such as China and Japan, will operate with powerful effect in inducing immigration to this country—a very weighty national considerations.

5. This road will meet a great national want in a military respect. This aspect of the case has already been indicated, but its importance demands that it be made more prominent.

In his report for 1865, Quartermaster Gen'l Meigs, says in reference to this road, that "the enterprise is one worthy of the nation. As a military measure, contributing to the national security and defense alone, it is worthy the cost of effectual assistance from the Government."

"The Central Railroad to San Francisco, (he continues) will secure that admirable harbor and its trade and the rich State of California, against all serious danger from a foreign foe."

"But (he adds,) our communication with the harbors of the northeast coast, Puget Sound, the mouth of the Columbia, and with the growing population of Oregon and Washington, by sea from San Francisco, will be liable to interruption by a hostile fleet. With the Northern Pacific Railroad in operation, troops and materials of war could be rapidly sent from the east to succor and defend our rising empire in the north-west."

On this subject Gen. Grant also says: "The construction of a railroad by the proposed route, would be of very great advantage to the government pecuniarily, by saving in the cost of transportation to supply troops, whose presence in the country



through which it is proposed to pass, is made necessary by the great amount of emigration to the gold-bearing regions of the Rocky Mountains. In my opinion, too, the United States would receive an additional pecuniary benefit in the construction of this road by the settlements it would induce along the line of the road, and consequently the less number of troops necessary to secure order and safety. How far these benefits should be compensated by the general government, beyond the grant of land already awarded by Congress, I would not pretend to say. I would merely give it as my opinion that the enterprise of constructing the Northern Pacific Railroad is one well worth fostering by the general government, and that such aid could well be afforded as would insure the early prosecution of the work."

It may be added here as a consideration of much force, in this particular view of the subject, that such a population in that section of the country, with such supplies, and general intelligence and resources as are above denoted, would be of very great value as a means of national defense and safety.

6. From passing events, it is quite apparent, that the waters of Lake Superior must, at no distant day, be connected with the Pacific by a railroad, running either through the States and territories to be traversed by this line, or through the neighboring British provinces. The country on the latter route is the least preferable; but the one first commenced, with such backing as to insure its completion, will be morally certain to prevent the undertaking of the other. If built within our own territory, the trade and commerce of the British possessions north of it, which, as we have seen, possess good agricultural capacities, will be dependent on, and largely tributary to it, in time of peace, and in the event of war between the two countries, it will be to this nation a source of masterly advantage; the reverse, if built within British territory. The question as to which nation shall possess this incalculable advantage, is a most important one, in whatever relation it is viewed.

7. As we have seen, this road, if built, will afford the means

of cheap and rapid transit, and commercial, civil, and social intercourse over this continent for the inhabitants of this and other countries; thus establishing in the great north-west, which opens a field for universal industry, as well as a genial home for men of clear heads and pure hearts, a great national and international highway, which will contribute largely to hasten the transfer of the commercial and monetary center of the world from London to New York, impart fresh impulse to our general progress, bring large additions to the resources, exchanges and influence of the American people, throughout the civilized world, both as individuals and as a nation; and accelerate, and help make perpetual, the day when this Republic, with its free institutions and the enlightened views, and progressive character of its people, shall be "first in peace, first in war," and first in the confidence and respect of mankind.

One word more: look at the two routes—that of the Union Pacific and that of the Northern Pacific. Compare the climates of the two, and all that depends on climate. Compare the natural agricultural and manufacturing capabilities of the two sections of country, their relative mineral resources, the length of the two lines, their grades and curvatures, their connection with inland navigable waters, the local facilities for operating the two, such as water and fuel and the advantages of each, as an instrument of National defense, and as a highway for the Nations. In all these and similar respects, it will be found that the Northern Pacific route, on the whole, is to be preferred.

And now, be it known and remembered, that the General Government has loaned and is to loan, in addition to a munificent land grant, its interest-bearing bonds for the construction of the Union Pacific Railroad to an amount just about equal to the principal sum of the capital stock of the Northern Pacific, on which the government is asked merely to guarantee the payment of the interest only, for the short period of twenty years.

On what grounds, then, of equal justice, or of enlightened policy, can the General Government refuse the guarantee sought by the bill?

Thus are we conducted by these plain, practical considerations, to the unavoidable conclusion, that by the aid of this guaranty, the construction of this road could and would be undertaken at an early day, and prosecuted with vigor and success, until completed; that it is safe for the Government to give the guarantee, and that it is clearly best that it should do so, without further delay.

Your committee have, therefore, directed me to report the resolution referred to them, back to the House, without amendment, recommending that the same do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM WARNER, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Boies, unanimous consent being given, offered the following:

*Whereas*, The report of the select committee on the Northern Pacific railroad, which has been presented to the House to-day, contains a large amount of valuable and interesting information on a subject of great national importance; therefore

*Resolved*, That one thousand copies of said report be printed for distribution among the members of the House.

Mr. Woodman moved to amend the resolution by striking out the words "one thousand," and inserting the words "two thousand," in lieu thereof.

The amendment was accepted.

The resolution, as amended, was adopted.

The Sergeant-at-Arms announced the Private Secretary of the Governor.

The Private Secretary of the Governor delivered to the House a message, in writing, from his Excellency, the Governor.

## MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, January 18, 1867. }

*To the Legislature:*

By a communication from the Hon. Jos. S. Wilson, Commissioner of the U. S. General Land Office, dated Department of Interior, January 7, 1867, I am requested to execute a relinquishment from this State to the United States, of all right to the lands embraced in the Ionia cash entry No. 17,060, of Charles Blanck, covering the N. E.  $\frac{1}{4}$  of S. W.  $\frac{1}{4}$  and the N. W.  $\frac{1}{4}$  of S. E.  $\frac{1}{4}$  Sec. 7, T. 16 N., R. 17 W., which communication is herewith transmitted. The facts upon which this application appear to be based, are as follows:

Said Charles Blanck filed his declaratory statement for this and at the Ionia land office, Aug. 18, 1858, alleging settlement two days previously, and under date of July 28, 1859, he appeared at the local office and paid for said land per the foregoing cash entry, having duly proved his settlement upon said tract, and that he had complied with all the requirements of the pre-emption laws. Mr. Blanck's entry was canceled Aug. 26, 1858, by the General Land Office, for conflicting with an approved list in favor of the Flint and Pere Marquette Railroad, under act of June 8, 1856.

Under date of April 8d, 1866, Mr. Blanck filed his affidavit in the General Land Office, at Washington, asserting his prior claim to the tract, and stating that he was still residing thereon, and had made valuable improvements upon the same; hence this application. In order to comply with the aforesaid request of the Land Commissioner, some legislative action will be necessary.

I respectfully refer the whole subject to your consideration.

HENRY H. CRAPO.

The following is the communication which accompanied the message:

DEPARTMENT OF THE INTERIOR, }  
 GENERAL LAND OFFICE, }  
 January 7, 1867. }

*To his Excellency, Hon. Henry H. Crapo, Governor of Michigan,  
 Lansing, Michigan:*

SIR—Under date of April 30, 1866, a letter was addressed to you, asking for a relinquishment from the State of Michigan to the United States, of certain lands embraced in the Ionia cash entry No. 17,060, of Charles Blanck, covering the N. E. qr. S. W. qr. and N. W. qr. S. E. qr. Sec. 7, town 3 N., R. 17 W.

I would now most respectfully call your attention to this matter, with a request that you would give the case referred to early consideration.

I have the honor to be,

Very respectfully,

Your obt. servt.,

JOS. S. WILSON,

*Commissioner.*

On motion of Mr. White,

The message and accompanying communication was referred to the committee on public lands.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, January 18, 1867. }*

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 8, entitled

A bill to prevent the adulteration of milk, and to prevent the traffic in impure and unwholesome milk;

2. Senate bill No. 13, entitled

A bill to provide for the incorporation of lodges of the Independent Order of Good Templars;

3. Senate bill No. 15, entitled

A bill supplementary to section nineteen, of an act entitled

an act disposing of certain grants of land made to the State of Michigan for railroad purposes, by an act of Congress, approved June 3, eighteen hundred and fifty-six, approved February fourteenth, eighteen hundred and fifty-seven, and to an act approved February 5th, eighteen hundred and sixty-four, and also to an act entitled "an act to confer an additional grant of public lands upon the Grand Rapids and Indiana Railroad Company," approved March 10, 1865;

4. Senate bill No. 21, entitled

A bill authorizing the State Treasurer to surrender the bonds deposited in his office, as security for the circulating notes of certain chartered banks;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The third named bill was read a first and second time by its title, and referred to the committee on internal improvements.

The fourth named bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, Jan. 18, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 31, entitled

A bill to legalize the tax-rolls of certain townships in the county of Midland, for the year 1866;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on local taxation.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, January 17, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 20, entitled

A bill to amend an act entitled "an act to incorporate the village of Ionia," approved February 17, 1865;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, January 18, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved,* (The Senate concurring,) That when the respective Houses adjourn on Friday, the 25th inst., that the same shall stand adjourned until Tuesday, the 5th of February next, at ten o'clock A M;

In the passage of which the Senate has non-concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. L. Smith,

The resolution was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Stevens gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of the school tax of the city of Monroe.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of trustees of the village of Galesburgh, to cause a re-survey and plat of said village to be made and recorded, and to assess and collect the necessary tax therefor.

Mr. C. R. Brown gave notice that on some future day he would ask leave to introduce

A bill to authorize the county of Berrien, and certain townships and villages therein, to aid in the construction of a railroad from St. Joseph village, in said county, to some point on the Indiana State line;

Also,

A bill to authorize the counties of Berrien and Van Buren, and certain townships and villages therein, to aid in the construction of a railroad from St. Joseph village, in the county of Berrien, to the village of Paw Paw, in the county of Van Buren.

Mr. Newcombe gave notice that on some future day he would ask leave to introduce

A bill to authorize the Saginaw and Genesee Plank Road Company to discontinue the whole, or any portion of their road, and for other purposes.



Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend section three, and section thirteen, of act No. 218, of the session laws of 1861, relative to actions for forcible and unlawful entry and detainer.

Mr. Huckins gave notice that on some future day he would ask leave to introduce

A bill for the construction of a bridge across Black River, on the line of the Lexington and Lapeer State road, and an appropriation of swamp land for the same.

Mr. McKernan offered the following:

*Resolved*, That Past Grand Sire, A. J. Nickolson, have the use of this Hall on Saturday evening next, for the purpose of delivering a free lecture on the principles of Odd Fellowship;

Which was not adopted.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to lay out and construct a State road from the village of Alpena, in the county of Alpena, to some point on Grand Traverse bay;

Also,

A bill to provide for laying out and constructing a swamp land State road from Tawas City to the west line of Iosco county, and appropriating State swamp lands for the construction of the same;

Also,

A bill to incorporate the county of Ogemaw with the county of Iosco, and to define the boundaries thereof.

Mr. Funston gave notice that on some future day he would ask leave to introduce

A bill for the construction of certain drains or ditches in the township of Berlin, St. Clair county, and ask an appropriation of State swamp land therefor.

Mr. L. Smith, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the annual and adjourned

school meetings of fractional school districts No. 4 and 1, of the township of Pine River and Bethany, in Gratiot county, in the year 1866.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Ball, previous notice having been given, and leave being granted, introduced

A bill to authorize school district No. 5, of the townships of Brighton and Genoa, county of Livingston, to borrow moneys to build a school-house.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Aitkin, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the townships of Flint and Genesee, in the county of Genesee, for the year 1866.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Kingsbury, previous notice having been given, and leave being granted, introduced

A bill to authorize the board of trustees of fractional union school district number one, of the city of Grand Rapids, to borrow money.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to authorize the board of education of the city of Lansing, to borrow money and issue bonds for the construction of a high school building.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to amend section 4985 and 4994 of the compiled laws,

being sections 12 and 21, of chapter 150 of said laws, and to add certain new sections to said chapter.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the township of Bangor, in the county of Bay, for the year 1866.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the city of Bay City, for the year 1866.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Pearl, previous notice having been given, and leave being granted, introduced

A bill to authorize school district No. 3, of the township of Victor, in the county of Clinton, to borrow money and to issue bonds therefor.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Grier offered the following:

*Resolved*, (the Senate concurring) That when the respective Houses adjourn on Thursday, the 24th inst., that the same shall stand adjourned until Wednesday, the 30th inst.

On motion of Mr. Bonine,

The rules were suspended and the resolution put upon its immediate passage.

Mr. White moved to amend the resolution by striking out the words "Thursday, the 24th," and inserting the words "Wednesday, the 23d," in lieu thereof;

Which was not agreed to.

The resolution was then adopted.

## THIRD READING OF BILLS AND RESOLUTIONS.

House bill No 28, entitled

A bill to amend section 3786, chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Holt,	Mr. Randall,
Alexander,	Hopkins,	Robinsen,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Sexton,
Benedict,	Jenness,	Shepherd,
Boies,	Jewell,	Shetterly,
Bonine,	J. H. Jones,	Slayton,
A. S. Brown,	B. Jones,	L. Smith,
C. R. Brown,	Kedzie,	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Canniff,	Lockwood,	Spence,
Camburn,	Lovell,	Stannard,
Chauvin,	Mason,	Stevens,
Corey,	McCutcheon,	Storrs,
Crossman,	McKernan,	Swezey,
Deane,	Mead,	Swift,
Dusseau,	Mickley,	Taylor,
Eck,	Murray,	Tompkins,
Emerson,	Newcombe,	Upton,
Fellows,	Newell,	Walker,
Fenton,	L. D. Osborn,	Warner,
Funston,	W. H. Osborn,	Wells,
Gallup,	Packard,	White,
Greenfield,	Parker,	Willard,
Grier,	F. Parsons,	Wilson,
Haven,	S. T. Parsons,	Woodman,
Hawley,	Parmelee,	Wright,
Healy,	Pearl,	Speaker,
Hill,		

84

## NAYS.

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Title agreed to.

On motion of Mr. Grier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 81, entitled

A bill to provide for the ascertaining and giving notice of the title of the lands of the heirs of deceased persons,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Randall,
Alexander,	Holt,	Robinson,
Ball,	Hopkins,	Rockwood,
Barber,	Howard,	Sexton,
Benedict,	Huckins,	Shepherd,
Boies,	Jenness,	Shetterly,
Bonine,	Jewell,	Slayton,
A. S. Brown,	J. H. Jones,	L. Smith,
O. R. Brown,	R. Jones,	E. Spalding,
W. G. Brown,	Kedzie,	P. S. Spaulding,
Canniff,	Locke,	Spence,
Camburn,	Lockwood,	Stannard,
Chauvin,	Lovell,	Stevens,
Corey,	Mason,	Storrs,
Crossman,	McOutcheon,	Sweezy,
Deane,	McKernan,	Swift,
Dunlap,	Mead,	Taylor,
Dussesu,	Mickley,	Tompkins,
Eck,	Murry,	Upton,
Emerson,	Newcombe,	Walker,
Fellows,	Newell,	Warner,
Fenton,	L. D. Osborn,	Wells,
Funston,	W. H. Osborn,	White,
Gallup,	Packard,	Willard,
Greenfield,	Parker,	Wilson,
Grier,	F. Parsons,	Woodman,
Haven,	S. T. Parsons,	Wright,
Hawley,	Parmelee,	Speaker,
Healy,	Pearl,	86
	NAYS.	0

Title agreed to.

On motion of Mr. O. R. Brown,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 6, entitled

A bill to authorize school district No. 7, of the township of

Plainfield, in the county of Kent, to issue bonds for the purposes therein mentioned,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Randall,
Alexander,	Holt,	Robinson,
Ball,	Hopkins,	Rockwood,
Barber,	Howard,	Sexton,
Benedict,	Huckins,	Shepherd,
Boies,	Jenness,	Shetterly,
Bonine,	Jewell,	Slayton,
A. S. Brown,	J. H. Jones,	L. Smith,
O. R. Brown,	R. Jones,	E. Spalding,
W. G. Brown,	Kedzie,	P. S. Spaulding,
Canniff,	Locke,	Spence,
Camburn,	Lockwood,	Stannard,
Chauvin,	Lovell,	Stevens,
Corey,	Mason,	Storrs,
Crossman,	McCutcheon,	Sweezey,
Deane,	McKernan,	Swift,
Dunlap,	Mead,	Taylor,
Dusseau,	Mickley,	Tompkins,
Eck,	Murray,	Upton,
Emerson,	Newcombe,	Walker,
Fellows,	Newell,	Warner,
Fenton,	L. D. Osborn,	Wells,
Funston,	W. H. Osborn,	White,
Gallup,	Packard,	Willard,
Greenfield,	Parker,	Wilson,
Grier,	F. Parsons,	Woodman,
Haven,	S. T. Parsons,	Wright,
Hawley,	Parmelee,	Speaker,
Healy,	Pearl,	

86

## NAYS.

0

Title agreed to.

On motion of Mr. Kedzie,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 5, entitled

A bill to amend section six, of an act entitled "an act to incorporate the city of Battle Creek," approved February third,

eighteen hundred and fifty-nine, relating to the time of holding the annual election,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Pearl,
Alexander,	Hill,	Randall,
Ball,	Holt,	Robinson,
Barber,	Hopkins,	Rockwood,
Benedict,	Howard,	Sexton,
Boies,	Jenness,	Shepherd,
Bonine,	Jewell,	Shetterly,
A. S. Brown,	R. Jones,	Slayton,
C. R. Brown,	Kedzie,	L. Smith,
W. G. Brown,	Locke,	E. Spalding,
Canniff,	Lockwood,	P. S. Spaulding,
Camburn,	Lovell,	Spence,
Chauvin,	Mason,	Stannard,
Corey,	McCutcheon,	Stevens,
Crossman,	McKernan,	Storrs,
Deane,	Mead,	Sweezy,
Dunlap,	Mickley,	Swift,
Dusseau,	Murray,	Taylor,
Eck,	Newcombe,	Tompkins,
Emerson,	Newell,	Upton,
Fellows,	L. D. Osborn,	Walker,
Fenton,	W. H. Osborn,	Wells,
Funston,	Packard,	Willard,
Gallup,	Parker,	Wilson,
Greenfield,	F. Parsons,	Woodman,
Grier,	S. T. Parsons,	Wright,
Haven,	Parmelee,	Speaker,
Hawley,		

82

## NAYS.

0

Title agreed to.

Senate bill No. 17, entitled

A bill to authorize school district number three, of the township of Hillsdale, in the county of Hillsdale, to borrow money and negotiate its bonds therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Pearl,
Alexander,	Hill,	Randall,
Ball,	Helt,	Robinson,
Barber,	Hopkins,	Rockwood,
Benedict,	Howard,	Sexton,
Boies,	Huckins,	Shepherd,
Bonine,	Jenness,	Shetterly,
A. S. Brown,	Jewell,	Slayton,
O. R. Brown,	J. H. Jones,	L. Smith,
W. G. Brown,	R. Jones,	E. Spalding,
Oanniff,	Kedzie,	P. S. Spaulding,
Camburn,	Locke,	Spence,
Chauvin,	Lockwood,	Stannard,
Corey,	Mason,	Stevens,
Crossman,	McCutcheon,	Storrs,
Deane,	McKernan,	Sweezey,
Dunlap,	Mead,	Swift,
Dusseau,	Mickley,	Taylor,
Eck,	Murray,	Tompkins,
Emerson,	Newcombe,	Upton,
Fellows,	Newell,	Walker,
Fenton,	L. D. Osborn,	Wells,
Funston,	W. H. Osborn,	White,
Gallup,	Packard,	Willard,
Greenfield,	Parker,	Wilson,
Grier,	F. Parsons,	Woodman,
Haven,	S. T. Parsons,	Wright,
Hawley,	Parmelee,	Speaker, 84

## NAYS.

0

Title agreed to.

On motion of Mr. Parmelee,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to amend an act entitled "an act to connect the Duncan, Alpena and Sauble River State road, with the East Saginaw and Sauble River State road,"



Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, follows:

## YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Randall,
Alexander,	Holt,	Robinson,
Benedict,	Hopkins,	Slayton,
Boies,	Howard,	L. Smith,
Bonine,	Huckins,	E. Spalding,
A. S. Brown,	Jewell,	P. S. Spaulding,
C. R. Brown,	R. Jones,	Spence,
W. G. Brown,	Kedzie,	Stevens,
Canniff,	Locke,	Storrs,
Camburn,	Lockwood,	Sweezy,
Crossman,	Mason,	Swift,
Deane,	McCutcheon,	Taylor,
Dunlap,	McKernan,	Tompkins,
Eck,	Mead,	Upton,
Emerson,	Mickley,	Walker,
Fellows,	Newcombe,	Warner,
Fenton,	L. D. Osborn,	Wells,
Funston,	Packard,	Willard,
Gallup,	L. Parsons,	Wilson,
Greenfield,	S. T. Parsons,	Woodman,
Grier,	Parmelee,	Wright,
Healy,	Pearl,	Speaker, 66

## NAYS.

Mr. Ball,	Mr. Jenness,	Mr. Rockwood,
Barber,	J. H. Jones,	Sexton,
Chauvin,	Lovell,	Shepherd,
Corey,	Murray,	Shetterly,
Dusseau,	Newell,	Stannard,
Haven,	W. H. Osborn,	White,
Hawley,	Parker,	20

Title agreed to.

Mr. Lockwood moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

Mr. Howard moved that the House take a recess until two o'clock this afternoon;

On motion of Mr. Walker,

The House adjourned until to-morrow morning, at 10 o'clock

*Lansing, Saturday, January 19, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by President Haven.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Holt, Newell, Shepherd and Shetterly.

Mr. Woodman asked and obtained leave of absence for Mr. Holt, for an indefinite time.

#### PRESENTATION OF PETITIONS.

By Mr. Kedzie: petition of Ingersoll & Robson, S. S. Coryell, D. G. Peck & Co., D. T. Nichols, F. F. Russell, B. P. Richmond, H. A. Lee, I. H. Fonda & Co., and 76 others, praying for a law to render railroad companies responsible for losses by fire.

Referred to the committee on the judiciary.

By Mr. Jenness: petition of J. P. Mayhew, J. Bengal, E. L. Ripley, F. Goodison, John A. Wilson, professors of the Normal School, praying for county superintendents instead of township inspectors of public schools.

Referred to the committee on education.

By Mr. E. Spalding: petition of E. B. Comstock, J. C. Goodsell, M. E. Crofoot, H. C. Thurber, and 67 others, business men of the city of Pontiac, asking the enactment of a law making all railroad companies liable for damages by fire, on all goods, wares and merchandise left with them for transportation.

Referred to the committee on the judiciary.

By Mr. Hill: petition of James Crawford, agent of the Seneca Mining company, and 41 others, residents of the county of Keeweenaw, praying for an extension of the operations of the act of March 20th, 1863, for a further period of five years from the expiration thereof.

Referred to the committee on ways and means.

By Mr. Mason: petition of B. A. Wing and 65 others, tax payers of the village of Galesburgh, to authorize the board of trustees of the village of Galesburgh to cause a re-survey and

plat of said village to be made and recorded, and to assess and collect the necessary tax therefor.

Referred to the committee on banks and incorporations.

By Mr. Eck: petition of D. C. Reynolds, C. M. Lampman and 146 others, citizens of the township of Colon, St. Joseph county, praying the Legislature to legalize the action of the electors of the township of Colon in voting aid to the Grand Trunk railroad of Michigan.

Referred to the committee on local taxation.

By Mr. Storrs: petition of William H. Niles and 7 others, praying for a law authorizing townships to vacate streets in unincorporated villages.

Referred to the committee on banks and incorporations.

By Mr. Randall: petition of H. C. Hurd and 62 others, of the township of Burlington, Calhoun county, praying the Legislature to confirm the action of said township in voting aid in the construction of a railroad between some point at or near Port Huron, to Chicago, in the State of Illinois.

Referred to the committee on internal improvements.

By Mr. Barber: petition of Edwin Perry and 275 others, citizens of the township of Union, in the county of Branch, praying the Legislature to pass an act to legalize and make valid their action relative to voting a tax of forty thousand dollars to a company for the purpose of aiding in the construction of a railroad through said township.

Referred to the committee on internal improvements.

By Mr. Eck: petition of Selah Powles and 80 others, citizens of the township of Mattison, Branch county, praying the Legislature to legalize the action of the electors of the township of Mattison, Branch county, in voting aid to the Grand Trunk Railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Swift: petition of E. J. Penniman and 118 others, taxpayers of the county of Wayne, asking that the Legislature make no further appropriation of money for the support of the State Agricultural College.

Referred to the committee on education.

By Mr. Willard: memorial of Geo. P. Tindall, Wm. A. Moore, Ashley Pond, Edwin Willits and Dwight May, a committee appointed by the society of the alumni of the University of Michigan, to memorialize the Legislature in relation to increasing the endowment of said University.

On motion of Mr. Willard,

The memorial was ordered printed, and referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking the Government of the United States to make a grant of land to aid in deepening the channel between Lake Superior and the waters known as Eagle Harbor, in the county of Keweenaw;

Also, a petition of sundry citizens of said county of Keweenaw, praying the passage of said joint resolution,

Respectfully report that they have had the same under consideration, and have directed me to report the joint resolution back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. E. MICKLEY, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred the petition of the Regents of the University of Michigan, asking the extension of aid to said University,

Respectfully report that they have had the same under consideration, and have directed me to report to the House the accompanying bill, entitled

A bill to extend aid to the University of Michigan,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to authorize the board of education of the city of Lansing, to borrow money, and issue bonds for the construction of a high school building,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 18, entitled

A bill to provide for the incorporation of lodges of the Independent Order of Good Templars,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 20, entitled

A bill to amend an act entitled an act to incorporate the village of Ionia, approved February 17, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to provide for the incorporation of associations for the purpose of constructing, owning and controlling warehouses, for the storage of grain and other commodities,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Fellows,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize school district number one, of the town-

ship of Eureka, to purchase a school house site or sites, and to dispose of their present one,

Respectfully report that they have had the same under consideration, and are of the opinion that no special legislation is necessary; as section (2269), and other sections of the compiled laws, in regard to school houses, embodies all that is asked for by the bill. They have therefore directed me to report the same back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. O. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kedzie,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of Edwin Starkweather, and twelve others, praying for an amendment of the statutes relative to the distribution of insolvent estates of deceased persons, decreasing in certain cases the allowance made to widows,

Respectfully report that they have had the same under consideration, and have directed me to report that although occasional injustice might arise under the law, yet it is not deemed advisable to grant the prayer of the petitioners. And from the further consideration of which your committee ask to be discharged.

E. O. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Spence,

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred A bill to amend section 2726, of the compiled laws, relating to the conveyance of lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Jenness,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections forty-nine hundred and eighty-five, (4985,) and forty-nine hundred and ninety-four, (4994,) of the compiled laws, being sections twelve (12) and twenty-one, (21,) of chapter one hundred and fifty, (150,) of said laws, and to add certain new sections to said chapter;

Also,

A bill to amend section nine hundred and ninety-four of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to extend the time for the collection of taxes in the township of Bangor, in the county of Bay, for the year A. D. 1866;

Also,

A bill to extend the time for the collection of taxes in the city of Bay City, for the year A. D. 1866,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to



the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grier,

The bills were placed on the order of third reading.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to repeal sections 2032 and 2033 of the compiled laws; relative to charitable bequests and devices;

Also,

A bill to legalize the action of the annual and adjourned school meetings of fractional school district No. 4 and 1, of Pine River and Bethany townships, for the year A. D. 1866,

Together with the petition of H. S. Helcomb and others, praying the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 8, entitled

A bill to prevent the adulteration of milk, and to prevent the traffic in impure and unwholesome milk,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill

when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend act No. 38, of the session laws of 1865, entitled an act to amend section 579, of the compiled laws, requiring overseers of highways to give bonds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. White,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 19, 1867. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to re-plat the village of St. Louis and to authorize the recording of the same;

2. House bill No. 18, entitled

A bill to provide for the payment of the officers and members of the Legislature for the year eighteen hundred and sixty-seven;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, January 19, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (The Senate concurring) That the Sergeant-at-Arms of this House be instructed to cause a suitable flag-staff to be erected on or near the cupola of this building, and to cause a United States flag, of suitable quality and proportions, to be constantly flying therefrom, between the hours of sunrise and sunset, Sundays excepted, while the Legislature shall continue in session.

In the passage of which the Senate has concurred.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 19, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (The Senate concurring) That the Secretary of State be and he is hereby authorized to cause a United States flag, of suitable quality and proportions, to be suspended on the buildings occupied by the State offices, daily, during the session of the Legislature, Sundays excepted, and at other times according to the usual custom;

In the passage of which the Senate has concurred.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, January 19, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, (the Senate concurring,) That when the respective Houses adjourn on the 24th inst., that the same shall stand adjourned until Wednesday, the 30th inst.;

In the passage of which the Senate has concurred.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, January 19, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 10, entitled

A bill to legalize certain bonds issued by the townships of Kalamazoo and Portage, Kalamazoo county, to aid in the construction of the Kalamazoo and Schoolcraft railroad,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hopkins offered the following:

*Whereas*, The members of this House are put to considerable inconvenience for the want of room for the books, papers and documents they are obliged to keep on their desks; therefore

*Resolved*, That the committee on supplies be instructed to cause a shelf to be made under each member's desk, similar to those in the Senate Chamber, at their earliest convenience.

Mr. White moved to amend the resolution by adding thereto the words, "provided that the members desire it;"

Which was not agreed to.

The resolution was not adopted.

Mr. Willard gave notice than on some future day he would ask leave to introduce

A bill to authorize the city of Battle Creek, and the townships in the counties of Calhoun, Kalamazoo and Barry, to raise by tax, and donate money to the Agricultural and Mechanical Association, at Battle Creek.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to authorize and empower the first Methodist Episcopal Society of Ann Arbor, to mortgage real estate for the purposes therein mentioned.

Mr. A. S. Brown gave notice that on some future day he would ask leave to introduce

A bill to prevent persons from cutting timber on lands, other than their own.

Mr. Parmelee gave notice that on some future day he would ask leave to introduce

A bill to change the name of Bell Gates Southworth, of Reading, Hillsdale county, Michigan, to Bell Kidder.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to authorize the Detroit and Saline plank road company to vacate a portion of its road;

Also,

A bill to amend sections 5756, 5757 and 5758 of the compiled laws.

Also,

A bill to add a new section to chapter 180 of the compiled laws.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Dansville.

Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax roll of the township of Caledonia, in Kent county, for A. D. 1866;

Also,

A bill to authorize the township of Caledonia, in Kent county, to issue bonds for bridge purposes.

Mr. Canniff gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 281, of the laws of 1865, entitled an

act to provide for the recovery of taxes paid on real estate by persons claiming title thereto in certain cases.

Mr. L. Smith, previous notice having been given, and leave being granted, introduced

A bill to provide for the construction of a State road from Stanton, in Montcalm county, to St. Charles, in Saginaw county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to authorize the board of trustees of the village of Galesburgh to cause a re-survey and plat of said village to be made and recorded, and to assess and collect the necessary tax therefor.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Stevens, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of the school tax of the city of Monroe.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend section three and section thirteen, of act number 218, of the session laws of 1861, relative to actions for forcible or unlawful entry and detainer.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hopkins, previous notice having been given, and leave being granted, introduced

A bill to set off and incorporate a portion of the townships of Grand Haven and Spring Lake, in the county of Ottawa, into a city by the name of the city of Grand Haven.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Funston, previous notice having been given, and leave being granted, introduced

A bill to provide for the construction of certain drains or ditches in the township of Berlin, county of St. Clair, and making an appropriation of swamp lands to aid in the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Camburn, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Greenville.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Huckins, previous notice having been given, and leave being granted, introduced

A bill to rebuild a bridge across Black river, on the Lexington and Lapeer State road, and making an appropriation of swamp land for the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Taylor gave notice that on some future day he would ask leave to introduce

A bill to extend the time of collecting the taxes in the township of Chesaning, Saginaw county, for the year 1866.

Mr. Wilcox asked and obtained permission to have his vote recorded in the affirmative on the passage of Senate joint resolution No. 2, entitled

Joint resolution ratifying the proposed constitutional amendment.

#### THIRD READING OF BILLS AND RESOLUTIONS.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Bangor, in the county of Bay, for the year 1866,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:



## YEAS.

Mr. Aitkin,	Mr. Hopkins,	Mr. Sexton,
Alexander,	Howard,	Shepherd,
Ball,	Huckins,	Shetterly,
Barber,	Jenness,	Slayton,
Benedict,	Jewell,	O. C. Smith,
Boies,	J. H. Jones,	L. Smith,
Bonine,	R. Jones,	E. Spalding,
A. S. Brown,	Locke,	P. S. Spaulding,
C. R. Brown,	Lockwood,	Spence,
W. G. Brown,	Mallet,	Stannard,
Canniff,	Mason,	Stevens,
Camburn,	McCutcheon,	Storrs,
Chauvin,	McKernan,	Sweezy,
Corey,	Mead,	Swift,
Crosman,	Mickley,	Taylor,
Deane,	Newcombe,	Upton,
Dusseau,	Newell,	Walker,
Eck,	L. D. Osborn,	Warner,
Emerson,	W. H. Osborn,	Wells,
Fellows,	Packard,	White,
Fenton,	Parker,	Wilcox,
Funston,	F. Parsons,	Willard,
Gallup,	Parmelee,	Wilson,
Greenfield,	Randall,	Woodman,
Grier,	Robinson,	Wright,
Haven,	Rockwood,	Speaker,
Hill,		

80

## NAYS.

Mr. Kedzie,	Mr. Lovell,	Mr. Murray,	3
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On motion of Mr. L. Smith,

Mr. Dunlap was excused from voting.

The title of the bill was agreed to.

On motion of Mr. Grier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Bay City, for the year 1866.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Rockwood,
Alexander,	Healy,	Sexton,
Ball,	Hill,	Shepherd,
Barber,	Hopkins,	Shetterly,
Benedict,	Howard,	Slayton,
Boies,	Huckins,	O. O. Smith,
Bonine,	Jewell,	L. Smith,
A. S. Brown,	J. H. Jones,	E. Spalding,
O. R. Brown,	R. Jones,	P. S. Spaulding,
W. G. Brown,	Locke,	Spence,
Canniff,	Lockwood,	Stannard,
Camburn,	Mallet,	Stevens,
Chauvin,	Mason,	Storrs,
Corey,	McCutcheon,	Sweezy,
Crossman,	McKernan,	Swift,
Deane,	Mead,	Taylor,
Dusseau,	Mickley,	Upton,
Eck,	Newcombe,	Walker,
Emerson,	Newell,	Warner,
Emery,	L. D. Osborn,	Wells,
Fellows,	W. H. Osborn,	White,
Fenton,	Packard,	Wilcox,
Funston,	Parker,	Willard,
Gallup,	F. Parsons,	Wilson,
Greenfield,	Parmelee,	Woodward,
Grier,	Randall,	Wright,
Haven,	Robinson,	Speaker, 81

## NAYS.

Mr. Dunlap,	Mr. Kedzie,	Mr. Murray,
Jenness,		4

Title agreed to.

On motion of Mr. Grier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## UNFINISHED BUSINESS,

Being the consideration of the following resolution:

*Resolved*, (the Senate concurring,) That this House take a recess from Friday, the 18th inst., until Tuesday, the 29th inst.

On motion of Mr. Walker,

The resolution was laid on the table.

Also the following:

*Whereas*, There are many thousands of acres of valuable lands called "railroad lands," which are mainly located in the most recently settled portion of the State and have been withheld from sale for about ten years past, greatly to the hindrance of the settlement of the country, the laying out and construction of roads, the organization and maintenance of schools and churches, and the full development of the wealth of the State, and which withholding from sale of said lands is a just cause of complaint by the people where they are located;

*And whereas*, A sale of those lands at public auction, to the highest bidder, after due public notice, would open them to settlement, and secure their full value for the construction of the contemplated railroads, without sacrifice, and thus greatly promote the settlement, growth, and development of the State, and hasten the construction of the railroads, for which purpose they were generously donated by the United States, and thus remove all cause of complaint above alluded to; therefore,

*Resolved*, (The Senate concurring,) That our Senators in Congress be and they are hereby instructed, and our Representatives, (in Congress,) requested to vote for, and use their influence to obtain the passage of a law by Congress, allowing the railroad lands of this State to be publicly advertised and sold at public vendue, to the highest bidder, in the usual Government subdivisions, at the respective land offices where located, provided no bid shall be received less than \$4 per acre and all lands not thus sold, to be subject to private entry after such public sale, at \$4 per acre, and the proceeds of all such lands to be retained in trust for the construction of the respective railroads for which they were donated, and be paid over to them when they are entitled to the same, on the same terms and conditions as the lands would have been made over to them, had they not been sold; and be it further

*Resolved*, That the Governor be authorized and requested, to forward a copy of these preamble and resolutions, properly signed by the President of the Senate, and Speaker of the

House of Representatives, to each of our Senators and Representatives in Congress, immediately after the passage of the same.

On motion of Mr. Woodman,

The resolutions were referred to the committee on federal relations.

GENERAL ORDER.

On motion of Mr. Barber,

The House went into committee of the whole, on the general order,

Mr. Aitkin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 32, entitled

A bill to amend section two thousand seven hundred and thirty-one, of the compiled laws, relating to the acknowledgment of deeds;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

R. P. AITKIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Beall,

The House concurred in the recommendation of the committee, ~~in striking out~~ all after the enacting clause.

On motion of Mr. Gamburn,

The enacting clause was laid on the table.

On motion of Mr. Deane,

The House took a recess until two o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

## GENERAL ORDER.

On motion of Mr. Deane,

The House went into committee of the whole, on the general order,

Mr. White in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

1. House joint resolution No. 1, entitled

Joint resolution asking the general government for a grant of land, to aid in the construction of the Mineral Range railroad;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled joint resolutions:

2. House joint resolution No. 2, entitled

Joint resolution asking an appropriation of lands by Congress to endow female colleges in the several States;

3. House joint resolution No. 3, entitled

Joint resolution to protect the fisheries of the State in the Upper Peninsula, to the people of the State and of the United States;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

1. House bill No. 35, entitled

A bill to exempt disabled soldiers and sailors from the payment of a capitation or poll tax;

2. Senate bill No 13, entitled

A bill to provide for the incorporation of lodges of the Independent Order of Good Templars;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

3. House bill No. 39, entitled

A bill to authorize school district number four, of the township of Schoolcraft, in the county of Kalamazoo, to issue bonds;

4. House bill No. 34, entitled

A bill for the better promotion of the interests of agriculture, manufactures and the mechanic arts;

5. House bill No. 36, entitled

A bill to authorize school district No. 1, of the township of Eureka, in Montcalm county, to issue bonds for the purposes therein mentioned;

6. House bill No. 42, entitled

A bill to legalize the tax-roll of the township of Rockland, Ontonagon county, for the year 1866;

7. House bill No. 40, entitled

A bill to amend section 17, of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, being section 3427 of the compiled laws;

8. House bill No. 41, entitled

A bill to amend section 3544 of the compiled laws, relating to proceedings in courts of chancery, against absent, concealed, and non-resident defendants;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

THOMAS WHITE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Boies,

The amendments made to the first named joint resolution, and to the first and second named bills, were concurred in, *in gross*, and they were placed on the order of third reading.

The second and third named joint resolutions, and the third, fourth, fifth, sixth, seventh and eighth named bills, were placed on the order of third reading.

The committee on engrossment and enrollment submitted the following report:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following entitled bill:

A bill to provide for the payment of the officers and members of the Legislature for the year 1867.

DANIEL UPTON, *Chairman.*

Report accepted and committee discharged.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE,  
*Lansing, January 19, 1867.* }

*To the House of Representatives:*

I have this day approved, signed and deposited, in the office of the Secretary of State, the following, viz:

An act to provide for the payment of the officers and members of the Legislature, for the year eighteen hundred and sixty-seven.

HENRY H. CRAPO.

The message was laid on the table.

On motion of Mr. L. Smith,

The House adjourned until Monday morning, at 10 o'clock.

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*Lansing, Monday, January 21, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Banwell.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Alexander, Chauvin, Pearl, Stevens, Fenton and Sweezey.

Mr. Dusseau asked and obtained leave of absence for Mr. Chauvin, for an indefinite time.

Mr. Lookwood asked and obtained leave of absence for Mr. Fenton, for an indefinite time, on account of sickness.

Mr. Benedict asked and obtained leave of absence for Mr. Pearl, for an indefinite time.

Mr. Mallet asked and obtained leave of absence for Mr. Stevens, for an indefinite time.

Mr. W. H. Osborn asked and obtained leave of absence for Mr. Sweezey, for an indefinite time, on account of sickness.

#### PRESENTATION OF PETITIONS.

By Mr. Ball: petition of E. C. Bush and 57 others, residents of Livingston county, asking the Legislature to so amend the session laws of 1865, as to prevent fishing with seines or nets in the inland lakes of said county.

Referred to the committee on fisheries.

By Mr. Wells: petition of C. L. Whitney and 105 others, legal voters of Cass county, praying for a system of county school inspectors, instead of the present system of township inspectors.

Referred to the committee on education.

By Mr. J. H. Jones: petition of William Tibbit, B. F. Wheat, O. M. Bower and 97 others, tax-payers of Quincy, Branch county, asking that the Legislature make no further appropriation of money for the support of the State Agricultural College.

Referred to the committee on education.

By Mr. J. H. Jones: petition of E. G. Berry, R. Woods, A. W. Gould and 5 others, physicians of Quincy, praying for the passage of a law providing for the registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Wells: memorial of the board of supervisors of Cass county, asking the enactment of a law to secure uniformity in election returns.

Referred to the committee on elections.

By Mr. Dunlap: petition of citizens of Traverse City, asking



an appropriation for a State road from Saginaw to Grand Traverse.

On motion of Mr. Dunlap,

The petition was ordered printed in the journal, and referred to the committee on public lands.

The following is the petition:

*To the Honorable the Legislature of the State of Michigan:*

The undersigned, citizens of the county of Grand Traverse, town of Traverse, respectfully represent, that the Legislature of 1863, by act No. 176, authorized the construction of a State road from Midland City via Houghton Lake, to Grand Traverse Bay, and appropriated one section of land per mile for said road.

Owing to the depreciated value of State swamp land scrip, and the high price of labor, since the passage of the act, nothing has been done towards the building of said road. And at present prices of scrip and labor, it is believed to be impracticable to construct a road, running as this will for the greater portion of the route, through a dense wilderness, with the appropriation made by the Legislature of 1863. Labor is not to be had along the line of the road, and the importation of both labor and supplies will add very largely to the cost of its construction.

But the time seems to have now arrived when the speedy opening of said road becomes a necessity—a necessity so imperative as to more than justify your honorable body in making an additional appropriation to secure that end.

Were this merely a local road, designed to benefit a few townships, or even counties, your petitioners would not ask additional aid. But such is not its character. It will be a *great public thoroughfare*, running through the heart of the State, and putting the whole Traverse region, now rapidly filling up with an industrious and intelligent population, in communication with the Saginaw Valley, and thence by railroad in connection both with the political and commercial metropolis of the State.

There is at the present time in the counties of Benzie, Wex-

ford, Grand Traverse, Leelanaw, Antrim, and the south part of Emmet, a population of not less than 12,000, all of whom would make the road in question their channel of communication with the older portions of the State during that part of the year that navigation is suspended.

At present the people referred to above are obliged to get out in winter by way of Ferrysburgh, near Grand Haven, on the Detroit and Milwaukee Railroad, a distance of two hundred miles, or over, from the head of Grand Traverse Bay. This requires five or six days hard driving, and on reaching Ferrysburgh the traveler is only twenty-five or thirty miles nearer Detroit than when he started from the head of Grand Traverse Bay.

Midland City, which is soon to have railroad connection with Detroit, may be reached over the road contemplated by your petitioners in two and a half or three days from the head of Traverse Bay.

This would be a saving of time and expense of great value to the pioneers in the north-western portion of the Lower Peninsula. It would save to them many thousand dollars every winter; and as the population in that part of the State is rapidly increasing, the utility and value of the road will be every year greatly augmented. And it is probable that before such a road can be completed a population of more than 30,000 souls will be ready to use it.

The proposed road would give the whole Traverse region its mails many days earlier than it is possible to receive them by any other route.

It would open to settlement and cultivation a large tract of country that without it would remain for many years an unbroken wilderness.

It would lead to a winter trade of no little importance, with Saginaw and Detroit, a trade that would grow from year to year, with great rapidity.

It would furnish to the lumbermen of the upper Manistee, Muskegon, and Tittabawassee rivers much greater facilities for

getting in supplies and carrying on their business generally, than they now possess.

It would, your petitioners believe, by settling the country and developing its resources, hasten and materially aid the construction of a railroad from Saginaw to the waters of Lake Michigan.

For the reasons here briefly stated, but which might be greatly amplified, your petitioners humbly pray your Honorable body to so amend act No. 176, of the session laws of 1863, as to appropriate two sections of State swamp land per mile for the construction of said road.

And inasmuch as the said road is not designed for the benefit of any particular locality, but is to be a great through route between different portions of the State, we humbly pray that the act of 1863 be further amended, so as not to make Houghton Lake a point of said road, and that it be left to the Commissioner who may locate the road to run it from Midland city to Grand Traverse Bay on the most eligible route.

And your petitioners will ever pray.

January, 1867.

The Speaker announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 21, 1867. }

*To the Speaker of the House of Representatives:*

Sir—In pursuance of a resolution of the House, I have this day appointed L. B. Potter, assistant Engrossing and Enrolling Clerk of the House.

Very respectfully,

WM. A. HALL,

*Engrossing and Enrolling Clerk.*

Mr. Potter then took the constitutional oath of office, and entered upon the discharge of his duties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the State Reform School:

The committee on the State Reform School, and to whom was also referred so much of the Governor's message as relates to the Reform School, present the following report:

Your committee have carefully considered the observations concerning the nature and objects of the Reform School, as set forth in the Governor's message, and have also visited the school, and personally inspected its condition and ascertained, as far as possible, its immediate and pressing wants.

Your committee would bear their unanimous and hearty testimony to the ability and efficiency of the Board of Control, and of the officers under them, having the management of the Reform School. Whatever was within their power to make this school what it should be, they have performed with conscientious fidelity; and if they have failed in aught, such failure arises entirely from want of the means necessary to that end.

Any administration of the affairs of the Reform School which brings prominently into view its primitive character while keeping in abeyance its reformatory office, is to that extent, a departure from its original design, and a descent from the high position it should occupy among the noble charities of a christian State. Everything, therefore, which tends to degrade an inmate of the school instead of elevating him; everything which unnecessarily tends to destroy the feelings which cluster around our American idea of *home*—which denies needed comforts, and shuts off the young and acting heart from sympathy, confidence and love, is a step in the wrong direction, and is a *reform* that needs *radical reformation*.

While your committee, therefore, endorse the ability and fidelity of the Board of Control and of their subordinates, and while thankful for the good which has undoubtedly been accomplished by this school, yet confess to sadness of heart when witnessing how greatly this school fails of accomplishing the ends for which it was designed, and this from circumstances beyond the control of the Board. For example, the school building was originally designed to accommodate only 152 inmates; yet it is now crowded with 278, and the number is kept below 300 only by discharging inmates only partially reformed—perhaps again to fall into temptation and crime.

Thus the objects of the school often fail of realization, and the fruits of years of cultivation are smitten with untimely blight.

But even with the number retained in the school, it is impossible for the officers to give them humane treatment, from the limited capacity of the buildings now erected and occupied. For example, in the dormitories, not only are all the cells occupied with beds, but a row of cots, placed side by side, extends the whole length of the alley between the cells. But even this crowding does not suffice, for fifty-six boys have to sleep in a room only 30 by 32 feet; and this room is constantly reeking with moisture, as it is used for drying and ironing the clothes for the whole school. For school purposes there are three rooms—one 33 by 57 feet, one 33 by 35 feet, and another about 22 by 23 feet; and this is all the school room for 278 boys, or about 123 cubic feet for each scholar. But limited as is the school-room, your committee observed that a portion of one of these rooms was also used as a workshop. The kitchen, where the cooking for 300 persons is done throughout the year, is 16 by 20; the bake-room, 11 by 20; the laundry, 15 by 20.

Not only are the rooms inhumanly overcrowded, but many of them are destitute of any means of warming whatever. When visiting the school, your committee found patches of ice in many places covering the floor of the dormitory, and were told that the ice never melted there in winter, and only disappeared by insensible evaporation; and on this account they could not cleanse the floors with water in the winter, for the attempt to mop the floor at this season would convert the dormitory floor into a skating rink. The temperature in these dormitories last evening (Jan. 20th) at the hour of retiring, was 8 deg. below freezing point, and at the hour of rising this morning was 6 deg. below freezing point.

The beds of the boys sleeping in a room of this temperature, consist of a straw bed, two sheets, two blankets, a light cotton spread, and a thin cotton pillow.

There are no means of warming these rooms, however severe the weather. The use of stoves would expose the whole build-

ing to danger of destruction by fire; but even if this danger did not exist, there are no stoves, nor any means of using stoves in these dormitories. Your committee do not feel called upon to express any opinion concerning the humanity of compelling so many children of tender years and immature frames, to sleep in such dormitories winter after winter.

In hours of wakefulness also, the boys are inadequately protected from the cold. Your committee examined the clothing of several of the boys. The cloth mainly used for winter garments is a gray jean, that weighs 4 1-16 ounces to the yard, while the cloth used for the winter clothing of the boys at the Massachusetts Reform School weighs 14 ounces per yard, being a heavy satinett. This jean is made up into sailor jackets, or "roundabouts," being lined with cotton sheeting, and wadded with cotton. The pantaloons are made of the same cloth, and lined with sheeting. A striped cotton shirt completes the dress, except the usual coverings for the extremities. Your committee believe this dress is entirely inadequate for our severe climate. Several of the boys were examined who had been violently exercising at their boisterous sports, yet they were not warm, and had a pinched and blue look, sad to see. Some of the boys who habitually work out of doors, had flannel under-shirts, and some had secured for themselves this necessary article of comfort out of their society savings, from wages received from work done beyond their task.

Your committee do not think anything more is needed on their part than simply to call your attention to these facts, which speak with a pathos no rhetoric can equal.

In the estimation of your committee, the highest success of a reformatory institution can only be reached by bringing the school to some approximation to the family. The normal relation of a child to society is only secured in the family; and the more closely the condition of a child in a Reform School approaches the family relation, the more promising are the prospects of his reformation. But where three hundred boys eat at one table, play in one yard, and sleep in one room, all

the tender and delicate family ties vanish in thin air. How any effectual control can be exercised over such a mass thrown together to mutually corrupt and vitiate each other, is hard to conceive. How reformation can be secured, without some means of separating the good from the bad, is a still more difficult problem. In making the enlargements so necessary in the accommodations of the Reform School, your committee hope the plan of the Board of Control, of erecting two houses to accommodate fifty boys each, and thus affording some means of separating the young boys and those giving promise of speedy reformation from those more hardened in vice, will be carried into practice.

In the estimation of your committee, it is desirable that the workshops should, as soon as practicable, be so enlarged that the Board may be able to give to each inmate of the Reform School a good practical knowledge of some one trade; so that on leaving the school he may have some definite means of support, and may have that honorable feeling of self-reliance which springs from a consciousness of being a workman that need not be ashamed. If the means are not now at hand to secure this result, the people of this State will demand the realization of this object at an early day.

A very essential means of reformation is well selected reading matter. A very small library is found at the school—the casual gift of the benevolent; and the worn appearance of the books show that the boys will use books if placed within their reach. But the library is entirely inadequate, and should be increased. Some of the juvenile papers, such as “The Little Corporal,” “Youths’ Companion,” should be taken, so that each boy may have his paper monthly at least. There is no provision whatever for an increase of the library; but as your committee understand that a proposition will be laid before this Legislature to bestow a library fund upon the Reform School and other State institutions, your committee will make no recommendation at this time, but express the hope that any reasonable proposition to secure this end will be adopted.

Let not the inmates of our Reform School be regarded as

the young germs of vice—a crop that needs only time to ripen into a harvest of crime—requiring at our hands, only to be shut up in order to secure society from their depredations. Too often they are the helpless victims of intemperance—that destroying fiend which, with remorseless fingers, drags the parents down to dishonored graves, and throws upon society their doubly orphaned ones, with every door of hope closed against them, and the cup of existence filled with all life's possible bitterness. Look at the report of the Board of Control, and there learn that the proportion of those who “slept out in boxes, old sheds, on steps, in lumber piles, &c.,” was 67 per cent. Such was their *home*, and from such a stand point, they took their outlook upon the world. What wonder that these young Ishmaels of society, finding “every man's hand against their hand,” should early learn to turn their “hand against every man's hand?” If they have sinned against society, can society claim that no injustice has been done them?

The appropriations asked by the Board of Control, are large:

1st. \$16,000 to pay arrearages in the account of current expenses for the year 1865 and 1866. The bank note for this amount, given by the Board, will fall due in February, proximo, and for this, an appropriation should be made at once.

2d. For warming dormitories, &c., by steam, \$5,000.

3d. For new kitchen, bakery and laundry, \$10,000.

4th. For two family houses, to accommodate 50 boys each, \$16,000

5th. For current expenses for the years 1867 and 1868, \$35,000, each year, or \$70,000 for the two years.

Total, \$117,000.

Your committee have already indicated some of the reasons for the necessity of each of these appropriations. If any members of this House are in doubt concerning the necessity of so large an appropriation, they can easily verify or refute the conclusions of your committee by a personal inspection of the condition and wants of the Reform School.



Your committee recommend that the several amounts asked by the Board of Control of the State Reform School be appropriated out of the general fund.

Your committee, therefore, ask leave to introduce three bills, viz:

A bill making appropriation to pay the arrearages of the State Reform School for the years 1865 and 1866;

Also,

A bill making appropriation to build two houses, a kitchen, bakery and laundry, for the State Reform School, and for warming the main building by steam;

Also,

A bill making appropriations to meet the current expenses of the State Reform School for the years 1867 and 1868;

Recommend that they do pass, and ask to be discharged from the further consideration of the same.

R. C. KEDZIE, *Chairman.*

LANSING, Jan. 21, 1867.

Report accepted and committee discharged.

The first named bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The second named bill was read a first and second time by its title, and,

On motion of Mr. Kedzie,

Was referred to the committee on ways and means.

The third named bill was read a first and second time by its title, and,

On motion of Mr. Kedzie,

Was referred to the committee on ways and means.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 364, of the compiled laws of 1857, relating to the compensation of members of the board of supervisors,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of John O. Pelton, Justin Sawyer, R. F. Mockridge and 204 others, citizens of Branch county, praying for the passage of an act for the prohibition of fishing with seines or other continuous nets, in the waters of said county,

Respectfully report that they have had the same under consideration, and have directed me to report the accompanying bill, entitled

A bill to prevent fishing with seines and every kind of continuous nets, in the waters of the county of Branch,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to extend the time for the collection of taxes in the townships of Flint and Genesee, in the county of Genesee, for the year 1866,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred the petition of Charles G. Johnson, W. H. Boyd and 41 other citizen tax-payers of the city of Monroe, asking that the time for collecting certain taxes therein named, be extended,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the judiciary committee, and ask to be discharged from the further consideration of the subject.

W. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee on the judiciary.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Big Rapids, in the county of Mecosta, for the year one thousand eight hundred and sixty-six, and to extend the time for the collection of the taxes therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. H. Osborn,

The bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to repeal act No. 213, of session laws of 1865, relative to the payment of taxes to township treasurers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

W. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred  
A bill to provide for laying out and establishing a State road from Stephens' Landing, in Sanilac county, to Burnside, in Lapeer county, and for an appropriation of swamp lands, to aid in the construction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the bill be referred to the committee on public lands, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee on public lands.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred the petition of Allen O. Adsit, W. G. Sinclair and 77 others, citizens of Mill Point, Ottawa county, asking that the name of Mill Point, Ottawa county, be changed to Spring Lake,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to change the name of the village of Mill Point, to Spring Lake,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of B. A. Wing and 65 others, to authorize the board of trustees of the village of Galesburgh, to cause a re-survey and plat of said village to be made and recorded, and to assess and collect the necessary tax therefor;

Also,

A bill to authorize the board of trustees of the village of Galesburgh, to cause a re-survey and plat of said village to be made and recorded, and to assess and collect the necessary tax therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the bills back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bills when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mason,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on printing:

The committee on printing beg leave to report, that arrangements have been made for publishing the Governor's message in the Holland and German languages, according to the terms prescribed by the action of this House, but have not been able to contract for publishing in the French at the price authorized. The publishers of the *Michigan Journal* offer to print 1,000 copies in French, at 75 cts. per thousand ems; and a publisher

in the city of New York, offers to print 2,000 copies, furnishing all material, for \$250.

All of which is respectfully submitted.

R. P. AITKIN, *Chairman.*

Report accepted and committee discharged.

Mr. White moved that so much of the report as relates to printing the Governor's message in French, be laid on the table; Which motion prevailed.

By the committee on printing:

The joint committee on printing, of the Senate and House of Representatives, to whom was referred the following concurrent resolution, to wit:

*Resolved*, (The House concurring,) That the committee on printing of the Senate and House of Representatives be and they are hereby instructed to prepare and cause to be published, for the use of the Senate and House of Representatives of this and the next Legislature, a Manual, containing the rules of the Senate and House of Representatives, joint rules, rules, Constitution of the United States and of this State, a diagram of the Senate Chamber and Representatives' Hall, and such other statistical matter as is usually contained in such a work. And that before printing such Manual, the committee shall report in regard to the style and matter of the work,

Beg leave to report that they have had the same under consideration, and have instructed us to report as follows: That we deem it expedient to cause to be published a Legislative Manual, in a style similar to the Manual of 1865, with the exception that the Constitutions and Rules be printed on coarser type, called "Long Primer," and that said Manual embrace the following subjects, arranged in the following order, viz:

1. Diagrams of the Hall of the House of Representatives, and the Senate Chamber.
2. Calendars of 1867, '8 and '9.
3. Constitution of the United States.
4. Constitution of Michigan.
5. Members and Officers of the Michigan Senate.

6. Members and Officers of the Michigan House of Representatives.

7. Order of business in both Houses.

8. Rules of the Senate.

9. Rules of the House of Representatives.

10. Joint Rules of the Senate and House.

11. Rules of the Senate and House, in Joint Convention.

12. Standing Committees of the Senate.

13. Standing Committees of the House.

14. Joint Committees.

15. Senate Districts, with a list of Members, and the aggregate population of each district in 1864.

16. Representative Districts as apportioned by the Legislature of 1865, and re-apportioned by the Boards of Supervisors, with a district list of Members, and the population represented by each Representative.

17. Judicial Districts with names of Judges.

18. A list of the organized counties of Michigan, and the county seats of the same, together with the aggregate of real and personal estate, as equalized by the State Board of Equalization, in August, 1866.

19. Vote for State Officers and Members of Congress in 1866.

20. List of State Officers.

21. Governors, Lieutenant-Governors, and Speakers of the House of Representatives, from the organization of the Territorial and State Governments.

22. List of Members of Congress.

23. Boundaries of the U. S. Judicial Districts in Michigan, with names of U. S. Judges, District Attorneys and Marshals of said districts.

24. List of Congressional Districts, with the aggregate population of each, and the name of its representative in the 40th Congress.

25. Census of the United States and Territories.

26. Census of Michigan in 1864.

27. List of Post Offices in Michigan.
28. Rates of Postage.
29. List of Newspapers published in Michigan.
30. A copious and comprehensive index for the entire book.

Your committee are of the opinion that a Manual embracing the above named topics, would occupy about 325 pages of matter, printed on long primer type, and that as a reference book, it would be invaluable, not only for the present, but for future years. We are of the opinion that the Manual should be printed on clear, compact book paper, of sixty pounds to the ream, 25 by 38 inches in size: Also, that the covers of the Manual be made of material that will not be liable to warp. We would recommend that 600 copies of said Manual be printed for the use of the present and succeeding Legislatures, State Officers and the Members of the Constitutional Convention.

All of which is respectfully submitted,

J. G. WAIT,

*Chairman of the Committee on Printing in the Senate.*

R. P. AITKIN,

*Chairman of the Committee on Printing of the House of Reps.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House.

By the committee on ways and means:

The committee on ways and means, to whom was referred a communication from Hon. James B. Porter, late Secretary of State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying joint resolution, entitled

Joint resolution directing the Board of State Auditors to audit the accounts and claims of the late Secretary of State for repairing and improving the State House,



Recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

W. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. L. Smith,

Was placed on the order of third reading.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the board of trustees of fractional union school district number one, of the city of Grand Rapids, to borrow money,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. L. MASON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, January 21, 1867. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 19, entitled

A bill to amend section four, of chapter one hundred and sixty-two, of the revised statutes of 1846, being section 5962 of the compiled laws, relative to proceedings to prevent crime;

2. Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Greenfield, Hamtramck and Springwells, in the

county of Wayne, for the year one thousand eight hundred and sixty-six;

8. Senate manuscript bill, entitled

A bill to extend the time for the collection of State and county taxes in the city of Detroit;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and,

On motion of Mr. Sexton,

The bill was put upon its immediate passage.

The bill, being Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Greenfield, Hamtramck and Springwells, in the county of Wayne, for the year 1866,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hopkins,	Mr. Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Sexton,
Benedict,	Jeuneau,	Shetlerly,
Bries,	Jewell,	Slayton,
Bonine,	J. H. Jones,	C. C. Smith,
A. S. Brown,	R. Jones,	L. Smith,
C. R. Brown,	Kedzie	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Canniff,	Lockwood,	Spence,
Camburn,	Mallet,	Stannard,
Coréy,	Mason,	Storrs,
Deane,	McCutcheon,	Swift,
Dusseau,	McKernan,	Taylor,

Eck,	Mead,	Walker,	
Emerson,	Mickley,	Warner,	
Emery,	Newcombe,	Wells,	
Fellows,	Newell,	White,	
Fauston,	L. D. Osborn,	Wilcox,	
Gallup,	W. H. Osborn,	Willard,	
Greenfield,	Packard,	Wilson,	
Grier,	Parker,	Woodman,	
Haven,	F. Parsons,	Wright,	
Healy,	Parmelee,	Speaker,	
Hill,	Randall,		74

## NAYS.

Mr. Dunlap,	Mr. Murray,	Mr. Shepherd,	
Lovell,			4

Title agreed to.

On motion of Mr. Sexton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The third named bill was read a first and second time by its title, and,

On motion of Mr. Walker,

Was placed on the order of third reading.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 21, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate joint resolution No. 3, entitled

Joint resolution granting lands to the Lac La Belle harbor improvement company;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The joint resolution was read a first, and second time by its title, and referred to the committee on federal relations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Aitkin offered the following:

*Resolved*, That the committee on rules and joint rules, report at their earliest convenience, whatever amendments to the rules of this House they may deem advisable, in order that they may be incorporated in the manual ordered by the Legislature.

Mr. Newcombe offered the following as a substitute therefor:

*Resolved*, That the committee on rules and joint rules be instructed to compile the rules of this House into an arrangement by topics, for more convenient reference, together with such amendments, as they may deem advisable, and that the report of such committee be received and considered by this House before the new manual shall be printed.

The substitute was adopted.

Mr. Randall gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes in the city of Marshall, in the county of Calhoun.

Mr. Storrs gave notice that on some future day he would ask leave to introduce

A bill to amend section 2, of act 335, session laws of 1865, relative to the Lamont and Zeland State road, in Ottawa Co.

Mr. Boies offered the following:

*Whereas*, It is claimed that certain of our citizens who enlisted in the military and naval service of the United States, in the winter and spring of 1864, were justly entitled to a State bounty of one hundred dollars.

*And whereas*, It is claimed that a portion of these men so enlisting have failed to receive said bounty, and it has been decided by the courts that they were not legally entitled to it, for reasons which were entirely beyond the control or knowledge of these men at the time of their enlistment, and were contrary to their just expectations, and the assurances held out

to them by recruiting officers, the press, and the public generally;

*And whereas*, Not only equity and justice, but also a due sense of gratitude to our Michigan soldiers for their brilliant and honorable record during the late war, and for their valuable services in the great work of suppressing the rebellion, demands that all contracts or obligations, made with or to them, in the matter of bounties, should be carried out in their full letter and spirit; therefore

*Resolved*, That the committee on bounties be and is hereby instructed to investigate this matter, and to ascertain what further legislation is necessary to fulfill, on the part of the State, the considerations under which these men enlisted, and that said committee report to this House, by bill or otherwise;

Which was adopted.

Mr. Wilson gave notice that on some future day he would ask leave to introduce.

A bill to legalize the action of the electors of the townships of Avon and Oakland, in the county of Oakland, had at a special township meeting, in voting aid to the construction of a railroad from Ridgeway, in the county of Macomb, to a point on the south line of the county of Berrien, in the direction of the city of Chicago.

Mr. Warner gave notice that on some future day he would ask leave to introduce

A bill to amend section 94, of chapter 17, of the compiled laws, so as to provide for furnishing to the county treasurers the numbers of the tax sale certificates redeemed at the State treasury;

Also,

A bill to amend chapter 187, of the compiled laws, with regard to lotteries, requiring judges to direct the attention of grand juries thereto.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to add a new section to chapter 180 of the compiled laws, in regard to evidence in certain criminal cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill authorizing the Detroit and Saline Plank Road Company to vacate a portion of its road.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Randall, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the townships of Tekonsha and Burlington, Calhoun county, in voting to aid in the construction of a railroad from some point at or near Port Huron, to the Indiana State line, on the route deemed most eligible, to Chicago, in the State of Illinois.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. E. Spalding, previous notice having been given, and leave being granted, introduced

A bill to amend section one, of an act to amend sections 1, 6, 12 and 15, of act number 262, of the session laws of 1859, entitled an act for the incorporation of insurance companies and defining their powers and duties, approved February 15, 1859, it being act number 277 of the session laws of 1865, approved March 20, 1865.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Willard, previous notice having been given, and leave being granted, introduced

A bill to authorize the city of Battle Creek, and the townships in the counties of Calhoun, Kalamazoo and Barry, to raise by tax and donate money to the Agricultural and Mechanical Association of Battle Creek.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend sections 5756, 5757 and 5758, of the compiled laws, in regard to the crime of burglary.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. L. Smith, previous notice having been given, and leave being granted, introduced

A bill to authorize any of the townships, cities and incorporated villages, in the counties of Saginaw, Gratiot and Clinton, to vote a tax or pledge their credit to aid in the construction of a plank road from Saginaw, by way of St. Louis or Alma, to the village of St. Johns, in Clinton county.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend act number 135, of the session laws of 1861, approved March 12, 1861, in regard to a register of probate for Wayne county.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to incorporate the county of Ogemaw with the county of Iosco, and to define the boundaries of the same.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to authorize the Saginaw and Genesee Plank Road Company to discontinue the whole or any portion of their road, and for other purposes.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker announced the following:

By direction of Doctor Potter, Superintendent of the Flint and Pere Marquette railroad, a special invitation is hereby extended to the Senators and Representatives and officers of this Legislature, to visit the Saginaw Valley and return, free of charge for transportation, and dinner at the Bancroft House, in East Saginaw, leaving Lansing on Thursday morning next, and returning on Friday. Any or all of the members, who wish to avail themselves of this opportunity to visit Flint and Saginaw, will please report to either of the Saginaw delegation to-day, giving them time to make the necessary arrangements for the trip.

W. H. TAYLOR.

Mr. Mickley offered the following:

*Resolved*, That for the guidance of the Clerk, the committee on ways and means be and they are hereby instructed to report to this House the number of miles travel for which the members of this House are entitled to draw mileage;

Which was adopted.

Mr. Jenness offered the following:

*Resolved*, That the thanks of this House be and are hereby tendered to the members from Saginaw and the officers of the railroads to Saginaw, for their very liberal invitation to visit the cities of Flint and Saginaw;

Which was adopted.

Mr. Newcombe gave notice that on some future day he would ask leave to introduce

A bill to amend section three thousand four hundred and thirty-eight of the compiled laws, relative to the jurisdiction of the supreme court.

Mr. Wright gave notice that on some future day he would ask leave to introduce

A bill to prevent the running at large of bulls, boars and rams.



Mr. Taylor, previous notice having been given, and leave being granted, introduced

A bill to provide for extending time for collecting the taxes in the township of Chesaning, in the county of Saginaw.

The bill was read a first and second time by its title, and  
On motion of Mr. Taylor,

Was placed on the order of third reading.

Mr. Funston, unanimous consent being given, introduced

A bill to legalize the tax roll of the township of Mussey, in the county of St. Clair, for the year 1866.

The bill was read a first and second time by its title, and,  
On motion of Mr. Funston,

Was placed on the order of third reading.

Mr. Mead gave notice that on some future day he would ask leave to introduce

A bill to amend section 12, of chapter 88, of the revised statutes of 1846, being section 2731 of the compiled laws.

The committee on local taxation, by unanimous consent, submitted the following report:

The committee on local taxation, to whom was referred

A bill to authorize fractional school district No. 5, in the townships of Brighton and Genoa, Livingston county, to borrow money to build a school house therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. L. MASON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mason,

The bill was placed on the order of third reading.

Mr. Aitkin moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Flint and Genesee, in the county of Genesee, for the year 1866.

Which motion prevailed.

On motion of Mr. Aitkin,

The bill was placed on the order of third reading.

### THIRD READING OF BILLS AND RESOLUTIONS.

House joint resolution, No. 1, entitled

Joint resolution asking the general government for a grant of land, to aid in the construction of the Mineral Range railroad;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Aitkin,	Mr. Hopkins,	Mr. Randall,
Ball,	Howard,	Robinson,
Barber,	Huckins,	Sexton,
Benedict,	Jenness,	Shetterly,
Boies,	Jewell,	Slayton,
Bonine,	J. H. Jones,	C. C. Smith,
A. S. Brown,	R. Jones,	L. Smith,
C. R. Brown,	Kedzie,	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Canniff,	Lockwood,	Spence,
Camburn,	Lovell,	Stannard,
Corey,	Mallet,	Storrs,
Crossman,	Mason,	Swift,
Deane,	McOutcheon,	Taylor,
Dussean,	McKernan,	Upton,
Eck,	Mead,	Warner,
Emery,	Mickley,	Wells,
Fellows,	Murray,	Wilcox,
Funston,	L. D. Osborn,	Willard,
Greenfield,	W. H. Osborn,	Wilson,
Grier,	Packard,	Woodman,
Haven,	Parker,	Wright,
Healy,	F. Parsons,	Speaker,
Hill,	Parmelee,	

71

### NAYS.

Mr. Emerson,	Mr. Rockwood,	Mr. White,
Newell,	Shepherd,	

5

On motion of Mr. Slayton,

The words "having less merit than this," were stricken out of the 21st line of the preamble.

The title and preamble were then agreed to.

House joint resolution No. 2, entitled

Joint resolution, asking an appropriation of lands by Congress to endow female colleges in the several States.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Howard,	Mr. Robinson,
Ball,	Huckins,	Rockwood,
Barber,	Jenness,	Sexton,
Benedict,	Jewell,	Shepherd,
Boies,	J. H. Jones,	Shetterly,
Bonine,	R. Jones,	Slayton,
A. S. Brown,	Kedzie,	O. C. Smith,
C. R. Brown,	Locke,	L. Smith,
W. G. Brown,	Lockwood,	E. Spalding,
Canniff,	Lovell,	P. S. Spaulding,
Camburn,	Malet,	Spence,
Corey,	Mason,	Stannard,
Crossman,	McCutchcon,	Storrs,
Deane,	McKernan,	Swift,
Dusseau,	Mead,	Taylor,
Eck,	Mickley,	Upton,
Emerson,	Murray,	Walker,
Emery,	Newcombe,	Warner,
Fellows,	Newell,	Wells,
Funston,	L. D. Osborn,	White,
Greenfield,	W. H. Osborn,	Wilcox,
Grier,	Packard,	Willard,
Haven,	Parker,	Wilson,
Hawley,	F. Parsons,	Woodman,
Healy,	Parmelee,	Wright,
Hill,	Randall,	Speaker,
Hopkins,		

79

## NAYS.

0

Title agreed to.

House joint resolution No. 3, entitled

Joint resolution to protect the fisheries of the State in the Upper Peninsula, to the people of the State and of the United States,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hopkins,	Mr. Robinson,
Ball,	Howard,	Rockwood,
Barter,	Huckins,	Sexton,
Benedict,	Jenness,	Shepherd,
Boies,	Jewell,	Shetterly,
Bonine,	J. H. Jones,	Slayton,
A. S. Brown,	R. Jones,	C. O. Smith,
O. R. Brown,	Kedzie,	L. Smith,
W. G. Brown,	Locke,	E. Spalding,
Canniff,	Lockwood,	P. S. Spaulding
Camburn,	Lovell,	Spence,
Corey,	Mallet,	Stannard,
Crossman,	Mason,	Storrs,
Deane,	McOutcheon,	Swift,
Dunlap,	McKernan,	Taylor,
Dusseau,	Mead,	Upton,
Eck,	Mickley,	Walker,
Emerson,	Murray,	Warner,
Emery,	Newcombe,	Wells,
Fellows,	Newell,	White,
Funston,	L. D. Osborn,	Wilcox,
Greenfield,	W. H. Osborn,	Willard,
Grier,	Packard,	Wilson,
Haven,	Parker,	Woodman,
Hawley,	F. Parsons,	Wright,
Healy,	Parmelee,	Speaker,
Hill,	Randall,	

80

## NAYS.

9

Title and preamble agreed to.

House bill No. 35, entitled

A bill to exempt disabled soldiers and sailors from the payment of a capitation or poll tax,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Randall,
Ball,	Hopkins,	Robinson,
Barber,	Howard,	Rockwood,
Benedict,	Huckins,	Sexton,
Boies,	Jenness,	Shepherd,
Bonine,	Jewell,	Shetterly,
A. S. Brown,	J. H. Jones,	Slayton,

O. R. Brown,	R. Jones,	O. C. Smith,
W. G. Brown,	Kedzie,	L. Smith,
Canniff,	Locke,	E. Spalding,
Camburn,	Lockwood,	P. S. Spaulding,
Corey,	Lovell,	Spence,
Crossman,	Mallet,	Stannard,
Deane,	Mason,	Storrs,
Dunlap,	McCutcheon,	Swift,
Durseau,	McKernan,	Taylor,
Eck,	Mead,	Upton,
Emerson,	Mickley,	Walker,
Emery,	Murray,	Warner,
Fellows,	Newcombe,	Wells,
Funston,	Newell,	White,
Gallup,	L. D. Osborn,	Wilcox,
Greenfield,	W. H. Osborn,	Willard,
Grier,	Packard,	Wilson,
Haven,	Parker,	Woodman,
Hawley,	F. Parsons,	Wright,
Healy,	Parmelee,	Speaker,

81

NAYS.

0

Title agreed to.

On motion of Grier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 39, entitled

A bill to authorize school district number four, of the township of Schoolcraft, in the county of Kalamazoo, to issue bonds,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Randall,
Ball,	Hopkins,	Robinson,
Barber,	Howard,	Rockwood,
Benedict,	Huckins,	Sexton,
Boies,	Jenness,	Shepherd,
Bonine,	Jewell,	Shetterly,
A. S. Brown,	J. H. Jones,	Slayton,
O. R. Brown,	R. Jones,	O. C. Smith,
W. G. Brown,	Kedzie,	L. Smith,
Canniff,	Locke,	E. Spalding,
Camburn,	Lockwood,	P. S. Spaulding,

Corey,	Lovell,	Spence,	
Crossman,	Mallet,	Stannard,	
Deane,	Mason,	Storrs,	
Dunlap,	McCutcheon,	Swift,	
Dusseau,	McKernan,	Taylor,	
Eck,	Mead,	Upton,	
Emery,	Mickley,	Walker,	
Emerson,	Murray,	Warner,	
Fellows,	Newcombe,	Wells,	
Funston,	Newell,	White,	
Gallup,	L. D. Osborn,	Wilcox,	
Greenfield,	W. H. Osborn,	Willard,	
Grier,	Packard,	Wilson,	
Haven,	Parker,	Woodman,	
Hawley,	F. Parsons,	Wright,	
Healy,	Parmelee,	Speaker,	81
	NAYS.		0

Title agreed to.

On motion of Mr. Grier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 34, entitled

A bill for the better promotion of the interests of agriculture, manufactures and the mechanic arts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Hopkins,	Mr. Randall,
Ball,	Howard,	Robinson,
Benedict,	Huckins,	Sexton,
Boies,	Jenness,	Shepherd,
Bonine,	Jewell,	Shetterly,
A. S. Brown,	J. H. Jones,	Slayton,
C. R. Brown,	R. Jones,	C. C. Smith,
W. G. Brown,	Kedzie,	L. Smith,
Canuiff,	Locke,	E. Spalding,
Camburn,	Lockwood,	P. S. Spaulding,
Corey,	Lovell,	Spence,
Crossman,	Mallet,	Stannard,
Deane,	Mason,	Storrs,
Dunlap,	McCutcheon,	Swift,
Dusseau,	McKernan,	Taylor,
Eck,	Mead,	Upton,

Emerson,	Mickley,	Walker,
Emery,	Murray,	Warner,
Fellows,	Newcombe,	Wells,
Funston,	Newell,	White,
Gallup,	L. D. Osborn,	Wilcox,
Greenfield,	W. H. Osborn,	Willard,
Grier,	Packard,	Wilson,
Haven,	Parker,	Woodman,
Hawley,	F. Parsons,	Wright,
Healy,	Parmelee,	Speaker,
Hill,		

79

## NAYS.

Mr. Rockwood,

1

Title agreed to

On motion of Mr. Boies,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 86, entitled

A bill to authorize school district No. 1, of the township of Eureka, in Montcalm county, to issue bonds for the purposes therein mentioned,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Randall,
Ball,	Hopkins,	Robinson.
Barber,	Howard,	Rockwood,
Benedict,	Huckins,	Sexton,
Boies,	Jenness,	Shepherd,
Bonine,	Jewell,	Shetterly,
A. S. Brown,	J. H. Jones,	Slayton,
C. R. Brown,	R. Jones,	O. C. Smith,
W. G. Brown,	Kedzie,	L. Smith,
Canniff,	Locke,	E. Spalding,
Oamburn,	Lockwood,	P. S. Spaulding,
Corey,	Lovell,	Spence,
Crossman,	Mallet,	Stannard,
Deane,	Mason,	Storrs,
Dunlap,	McCutcheon,	Swift,
Dusseau,	McKernan,	Taylor,
Eck,	Mead,	Upton,
Emerson,	Mickley,	Walker,

Emery,	Murray,	Warner,
Fellows,	Newcombe,	Wells,
Funston,	Newell,	White,
Gallup,	L. D. Osborn,	Wilcox,
Greenfield,	W. H. Osborn,	Willard,
Grier,	Packard,	Wilson,
Haven,	Parker,	Woodman,
Hawley,	F. Parsons,	Wright,
Healy,	Parmelee,	Speaker,

81

NAYS.

0

Title agreed to.

On motion of Mr. Camburn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 13, entitled

A bill to provide for the incorporation of lodges, of the Independent Order of Good Templars,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Howard,	Mr. Robinson,
Ball,	Huckins,	Rockwood,
Barber,	Jenness,	Sexton,
Benedict,	Jewell,	Shepherd,
Boies,	J. H. Jones,	Shetterly,
Bonine,	R. Jones,	Slayton,
A. S. Brown,	Kedzie,	O. C. Smith,
O. R. Brown,	Locke,	L. Smith,
W. G. Brown,	Lockwood,	E. Spalding,
Canniff,	Lovell,	P. S. Spalding,
Camburn,	Mallet,	Spence,
Crossman,	Mason,	Stannard,
Deane,	McOutcheon,	Storrs,
Dunlap,	McKernan,	Swift,
Eck,	Mead,	Upton,
Emery,	Mickley,	Walker,
Fellows,	Murray,	Warner,
Funston,	Newcombe,	Wells,
Gallup,	Newell,	White,
Greenfield,	L. D. Osborn,	Wilcox,
Grier,	W. H. Osborn,	Willard,
Haven,	Packard,	Wilson,



Hawley,  
Healy,  
Hill,  
Hopkins,

Parker,  
F. Parsons,  
Parmelee,  
Randall,

Woodman,  
Wright,  
Speaker,

77

## NAYS.

Mr. Corey,

Mr. Dusseau,

2

Title agreed to.

On motion of Mr. Hopkins,

The House took a recess until 2 o'clock, this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Greenfield asked and obtained leave of absence for Mr.  
Mallet, until to-morrow morning.

The House resumed business under the order of

## THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 42, entitled

A bill to legalize the tax roll of the township of Rockland,  
Ontonagon county, for the year 1866,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Alexander,  
Ball,  
Barber,  
Benedict,  
Boies,  
Bonine,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Camburn,  
Corey,  
Crossman,  
Deane,

Mr. Haven,  
Hawley,  
Healy,  
Hill,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
R. Jones,  
Kedzie,  
Locke,  
Lockwood,  
Lovell,

Mr. Parker,  
F. Parsons,  
Randall,  
Rebinson,  
Rockwood,  
Shepherd,  
Shetterly,  
Slayton,  
C. O. Smith,  
L. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Storrs,

Dunlap,	Mason,	Swift,	
Dusseau,	McCutcheon,	Upton,	
Eck,	McKernan,	Warner,	
Emerson,	Mead,	Wells,	
Emery,	Mickley,	White,	
Fellows,	Murray,	Willard,	
Funston,	Newcombe,	Wilson,	
Gallup,	Newell,	Woodman,	
Greenfield,	L. D. Osborn,	Wright,	
Grier,	Packard,	Speaker,	75
	NAYS.		0

Title agreed to.

On motion of Mr. Emerson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 40, entitled

A bill to amend section 17, of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, being section 3427, of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Parmelee,
Alexander,	Healy,	Randall,
Ball,	Hill,	Robinson,
Barber,	Hopkins,	Rockwood,
Benedict,	Howard,	Shepherd,
Boies,	Huckins,	Shetterly,
Bonine,	Jenness,	Slayton,
A. S. Brown,	Jewell,	O. O. Smith,
C. R. Brown,	J. H. Jones,	L. Smith,
W. G. Brown,	R. Jones,	E. Spalding,
Canniff,	Kedzie,	P. S. Spaulding,
Camburn,	Locke,	Spence,
Corey,	Lockwood,	Stannard,
Crossman,	Lovell,	Storrs,
Deane,	Mason,	Swift,
Dunlap,	McCutcheon,	Upton,
Dusseau,	McKernan,	Walker,
Eck,	Mickley,	Warner,
Emerson,	Murry,	Wells,
Emery,	Newcombe,	White,

Fellows,	Newell,	Willard,
Funston,	L. D. Osborn,	Wilson,
Gallup,	Packard,	Woodman,
Greenfield,	Parker,	Wright,
Grier,	F. Parsons,	Speaker,
Haven,		
	NAYS.	76
		0

Title agreed to.

Mr. Gallup moved that the bill be ordered to take immediate effect;

Which was not agreed to.

House bill No. 41, entitled

A bill to amend section 3544 of the compiled laws, relating to proceedings in courts of chancery, against absent, concealed, and non-resident defendants,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, follows:

YEAS.

Mr. Aitkir,	Mr. Hawley,	Mr. Parmelee,
Alexander,	Healy,	Randall,
Ball,	Hill,	Robinson,
Barter,	Hopkins,	Rockwood,
Benedict,	Howard,	Shepherd,
Boies,	Huckins,	Shetterly,
Bopine,	Jenness,	Slayton,
A. S. Brown,	Jewell,	C. O. Smith,
C. R. Brown,	J. H. Jones,	L. Smith,
W. G. Brown,	R. Jones,	E. Spalding,
Canniff,	Kedzie,	P. S. Spaulding,
Camburn,	Locke,	Spence,
Corey,	Lockwood,	Stannard,
Crossman,	Lovell,	Storrs,
Deane,	Mason,	Swift,
Dunlap,	McCutcheon,	Taylor,
Dusseau,	McKernan,	Upton,
Eck,	Mead,	Walker,
Emerson,	Mickley,	Warner,
Emery,	Murray,	Wells,
Fellows,	Newcombe,	White,
Funston,	Newell,	Willard,
Gallup,	L. D. Osborn,	Wilson,
Greenfield,	Packard,	Woodman,

Grier,  
Haven,

Parker,  
L. Parsons,

Wright,  
Speaker, 78

NAYS.

0

Title agreed to.

Senate manuscript bill, entitled

A bill to legalize the tax-roll of the township of Big Rapids, in the county of Mecosta, for the year 1866, and to extend the time for the collection of the taxes therein,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,  
Alexander,  
Ball,  
Barber,  
Benedict,  
Boies,  
Bonine,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Camburn,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Emerson,  
Emery,  
Fellows,  
Funston,  
Gallup,  
Greenfield,  
Grier,

Mr. Haven,  
Hawley,  
Healy,  
Hill,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
R. Jones,  
Kedzie,  
Locke,  
Lockwood,  
Mason,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Murray,  
Newcombe,  
Newell,  
L. D. Osborn,  
Packard,  
F. Parsons,

Mr. Parmelee,  
Randall,  
Robinson,  
Rockwood,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
E. Spalding,  
P. S. Spaulding,  
Stannard,  
Storrs,  
Swift,  
Taylor,  
Upton,  
Walker,  
Warner,  
Wells,  
Willard,  
Wilson,  
Woodman,  
Wright,  
Speaker,

74

NAYS.

0

Title agreed to.

On motion of Mr. Grier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to authorize fractional school district No. 5, of the townships of Brighton and Genoa, Livingston county, to borrow money to build a school house,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Parmelee,
Alexander,	Healy,	Randall,
Ball,	Hill,	Robinson,
Barber,	Hopkins,	Rockwood,
Benedict,	Howard,	Shepherd,
Boies,	Huckins,	Shetterly,
Bonine,	Jenness,	Slayton,
A. S. Brown,	Jewell,	C. O. Smith,
O. R. Brown,	J. H. Jones,	L. Smith,
W. G. Brown,	R. Jones,	E. Spalding,
Canniff,	Kedzie,	P. S. Spaulding,
Camburn,	Locke,	Spence,
Corey,	Lockwood,	Stannard,
Crossman,	Lovell,	Storrs,
Deane,	Mason,	Swift,
Dunlap,	McOutcheon,	Taylor,
Dusseau,	McKernan,	Upton,
Eck,	Mead,	Walker,
Emerson,	Mickley,	Warner,
Emery,	Murray,	Welis,
Fellows,	Newcombe,	Wilcox,
Funston,	Newell,	Willard,
Gallup,	L. D. Osborn,	Wilson,
Greenfield,	Packard,	Woodman,
Grier,	Parker,	Wright,
Haven,	F. Parsons,	Speaker,

78

## NAYS.

0

Title agreed to.

On motion of Mr. Ball,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Flint and Genesee, in the county of Genesee, for the year 1866,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Rockwood,
Alexander,	Hill,	Shepherd,
Ball,	Hopkins,	Shetterly,
Barber,	Howard,	Slayton,
Benedict,	Huckins,	C. C. Smith,
Boies,	Jenness,	L. Smith,
Bonine,	Jewell,	E. Spalding,
A. S. Brown,	J. H. Jones,	P. S. Spaulding,
C. R. Brown,	Kedzie,	Spence,
W. G. Brown,	Locke,	Stannard,
Canniff,	Lockwood,	Storrs,
Camburn,	Mason,	Swift,
Corey,	McCutcheon,	Taylor,
Crossman,	McKernan,	Upton,
Deane,	Mead,	Walker,
Dussean,	Mickley,	Warner,
Eck,	Newcombe,	Wells,
Emerson,	Newell,	White,
Emery,	L. D. Osborn,	Wilcox,
Fellows,	Packard,	Willard,
Funston,	Parker,	Wilson,
Gallup,	F. Parsons,	Woodman,
Greenfield,	Parmelee,	Wright,
Grier,	Randall,	Speaker,
Hawley,	Robinson,	

74

## NAYS.

Mr. Dunlap,	Mr. R. Jones,	Mr. Murray,
Haven,	Lovell,	

Title agreed to.

5

On motion of Mr. Aitkin,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Warner,

The rule requiring the second and third reading of bills to be on different days was suspended, and the other bills on the order of third reading, were put upon their passage.

House manuscript joint resolution, entitled

Joint resolution directing the Board of State Auditors to

audit the accounts and claims of the late Secretary of State, for repairing and improving the State House,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Robinson,
Alexander,	Hopkins,	Rockwood,
Ball,	Howard,	Sexton,
Barber,	Huckins,	Shepherd,
Benedict,	Jenness,	Shetterly,
Boies,	Jewell,	Slayton,
Bonine,	J. H. Jones,	C. C. Smith,
A. S. Brown,	R. Jones,	L. Smith,
C. R. Brown,	Kedzie,	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Canniff,	Lockwood,	Spence,
Cambuan,	Lovell,	Stannard,
Corey,	Mason,	Storrs,
Crossman,	McKutcheon,	Swift,
Deane,	McKernan,	Taylor,
Du-sau,	Mead,	Upton,
Eck,	Mickle,	Walker,
Emerson,	Murray,	Warner,
Emery,	Newcombe,	Wells,
Fellows,	Newell,	White,
Funston,	L. D. Osborn,	Wilcox,
Gallup,	Packard,	Willard,
Greenfield,	Parker,	Wilson,
Grier,	F. Parsons,	Woodman,
Haven,	Parmelee,	Wright,
Hawley,	Randall,	Speaker,
Healy,		

79

0

## NAYS.

Title and preamble agreed to.

Senate manuscript bill, entitled

A bill to extend the time for the collection of State and county tax, in the city of Detroit,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Walker asked the unanimous consent of the House to amend the bill by inserting the words "and tax payers," after the word "collectors," in the third line of section 5.

Objected to by Mr. Hawley.

On motion of Mr. Mead,

The bill was laid on the table.

House manuscript bill, entitled

A bill to provide for extension of the time for collecting the taxes in the township of Chesaning, in the county of Saginaw,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. {Rockwood,
Alexander,	Healey,	Sexton,
Ball,	Hill,	Shepherd,
Barber,	Hopkins,	Shetterly,
Benedict,	Howard,	Slayton,
Boies,	Huckins,	C. O. Smith,
Bonine,	Jenness,	L. Smith,
A. S. Brown,	Jewell,	E. Spalding,
C. R. Brown,	J. H. Jones,	P. S. Spaulding.
W. G. Brown,	R. Jones,	Spence,
Canniff,	Kedzie,	Stannard,
Camburn,	Locke,	Storrs,
Corey,	McKernan,	Swift,
Cros-man,	Mead,	Taylor,
Deane,	Mickley,	Upton,
Dusseau,	Newcombe,	Walker,
Eck,	Newell,	Warner,
Emerson,	L. D. Osborn,	Wells,
Emery,	Packard,	Wilcox,
Fellows,	Parker,	Willard,
Funston,	F. Parsons,	Wilson,
Gallup,	Parmelee,	Woodman,
Greenfield,	Randall,	Wright,
Grier,	Robinson,	Speaker,
Haven,		

73

#### NAYS.

Mr. Lovell,	Mr. Murray,	Mr. White.
Mason,		

4

Title agreed to.

On motion of Mr. Grier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.



House manuscript bill, entitled -

A bill to legalize the tax roll of the township of Mussey, in the county of St. Clair, for the year 1866,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Robinson,
Alexander,	Hill,	Rockwood,
Ball,	Hopkins,	Sexton,
Barber,	Howard,	Shepherd,
Benedict,	Huckins,	Shetterly,
Boies,	Jenness,	Slayton,
Bonine,	Jewell,	C. C. Smith,
A. S. Brown,	J. H. Jones,	L. Smith,
C. R. Brown,	R. Jones,	E. Spalding,
W. G. Brown,	Kedzie,	P. S. Spaulding,
Canniff,	Locke,	Spence,
Camburn,	Lovell,	Stannard,
Corey,	Mason,	Storis,
Crossman,	McCutcheon,	Swift,
Deane,	McKernan,	Taylor,
Dussean,	Mead,	Upton,
Eck,	Mickley,	Walker,
Emerson,	Murray,	Warner,
Emery,	Newcombe,	Wells,
Fellows,	Newell,	White,
Funston,	L. D. Osborn,	Wilcox,
Gallup,	Packard,	Willard,
Greenfield,	Parker,	Wilson,
Grier,	F. Parsons,	Woodman,
Haven,	Parmelee,	Wright,
Hawley,	Randall,	Speaker, 78

## NAYS.

0

Title agreed to.

On motion of Mr. Huckins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Deane,

The House went into committee of the whole, on the general order,

Mr. J. H. Jones in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 37, entitled

A bill to amend section six, of chapter twenty-seven, of the revised statutes of 1846, being section 1103 of the compiled laws;

Have adopted a substitute therefor, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

2. Senate bill No. 9, entitled

A bill relative to recording deeds, mortgages and instruments of record, and to declare the effect thereof;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

J. H. JONES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Boies,

The House concurred in the adoption of the substitute for the first named bill, and the bill was placed on the order of third reading.

On motion of Mr. Boies,

The House concurred in the amendment made to the second named bill, and the bill was placed on the order of third reading.

On motion of Mr. Barber,

The House adjourned until to-morrow morning, at 10 o'clock

*Lansing, Tuesday, January 22, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Hopkins: petition of C. B. Albee, Henry S. Clubb, D. Cutler, John W. Hopkins, R. W. Duncan, Henry Brewer, J. P. Sanford, George E. Hubbard, and over 100 others, citizens and tax-payers of Grand Haven, in the county of Ottawa, praying for the passage by the Legislature of the bill introduced by Hon. Moses B. Hopkins, incorporating Grand Haven into a city, by the name of the city of Grand Haven, and showing that said bill was unanimously adopted at a public meeting called for that purpose.

Mr. Hopkins moved that the petition be printed in the journal;  
Which was not agreed to.

The petition was referred to the committee on banks and incorporations.

By Mr. Hopkins: proceedings of public meetings in relation to obtaining a charter for the incorporation of the city of Grand Haven, by the citizens of the same.

Referred to the committee on banks and incorporations.

By Mr. Mason: remonstrance, signed by H. M. Slafter and 28 others, against the enlargement of the boundary lines of the village of Galesburgh.

Mr. Fellows moved that the remonstrance be laid on the table;

Which was not agreed to.

The remonstrance was referred to the committee on banks and incorporations.

By Mr. Van Vleet: memorial of the Northern Central Michigan railroad company.

Referred to the committee on internal improvements.

By Mr. Emerson: petition of William W. Spalding and 25

others, citizens of Ontonagon county, asking the remission of the special tax on copper for five years.

Referred to the committee on ways and means.

By Mr. Mason: petition of S. S. Cobb, R. S. Babcock, Alfred Thomas, John Dudgeon, A. S. Parker, W. B. Clark, O. N. Giddings, and 39 others, citizens of Kalamazoo, praying for an extension of time for the construction of the Grand Rapids and Indiana railroad;

Also, petition of A. B. Sumner and 55 others, citizens of Galesburgh, Kalamazoo county, for the same purpose.

Referred to the committee on internal improvements.

By Mr. Eck: petition of Moses Taft and 150 others, citizens of the township of Mendon, St. Joseph county, asking for an extension of time for the completion of the Grand Rapids and Indiana Railroad.

Referred to the committee on internal improvements.

By Mr. Mason: petition of J. B. Lapham and 112 others, citizens of the township of Kalamazoo, in the county of Kalamazoo, asking that a further extension of time be granted to the Grand Rapids and Indiana Railroad company to complete the first forty miles of said railroad.

Referred to the committee on internal improvements.

By Mr. Shepherd: petition of Silas Stafford, Joel Bachelder, G. C. Mills and 75 others, citizens of Gun Plains, in Allegan county, praying for an extension of time for the construction of the Grand Rapids and Indiana railroad;

Also, petition of T. D. VanValkenburgh and 64 others, citizens of the township of Wayland, Allegan county, for the same purpose.

Referred to the committee on internal improvements.

By Mr. Jewett: petition of S. L. Withey, Ransom E. Wood, L. N. Avery and 160 others, citizens of Grand Rapids, Kent county, asking an extension of time for the completion of the Grand Rapids and Indiana railroad.

Referred to the committee on internal improvements.

By Mr. Emery: petition of Robert Wilson and 100 others,

citizens of the township of Marlette, in the county of Sanilac, asking for the laying out and establishing of a State road from Burlington, in Lapeer county, to a point of intersection with the Lexington and Flint River State road, in Sanilac county, and for an appropriation of State swamp lands, to aid in the construction thereof.

Referred to the committee on public lands.

By Mr. Fellows: petition of Clark Adams and 29 others, citizens of Cooper, Kalamazoo county, praying for an extension of time for constructing the Grand Rapids and Indiana railroad

Referred to the committee on internal improvements.

By Mr. Miles: petition of William T. Marks, G. A. Phelps, John Randolph, and 51 other citizens of Clay, Cottrellville and Ira, St. Clair county, praying for the enactment of a law to prevent the destruction of muskrats and their houses, in the townships of Clay and Cottrellville, in the county of St. Clair.

Referred to the committee on State affairs.

By Mr. A. S. Brown: petition of B. M. Williams, and 20 others, citizens of Van Buren county, asking for an amendment to the school laws in reference to county superintendents of common schools.

Referred to the committee on education.

By Mr. Beall: petition of D. D. Riley and 74 others, of the township of Sherwood, in the county of Branch, praying the Legislature to pass an act to legalize and make valid their action relative to voting a tax of forty thousand dollars to a company for the purpose of aiding in the construction of a railroad through said township.

Referred to the committee on internal improvements.

By Mr. Upton: petition of O. W. Bennett and 160 others, to confirm the action of the county of Jackson, in voting aid for the Grand Trunk railroad;

Also, the petition of W. W. Van Antwerp and 72 others, citizens of the city of Jackson, for the same purpose.

Referred to the committee on internal improvements.

By Mr. Deane: petition of O. C. Fuller, E. O. Rose, Charles

Gay and 103 others, of Mecosta county, asking an extension of time for the construction of the Grand Rapids and Indiana railroad.

•Referred to the committee on internal improvements.

By Mr. Deane: remonstrance of Arthur Truesdell and 60 others, citizens of the township of Crotin, Newaygo county, against extension of time for the completion of the Grand Rapids and Indiana railroad.

Referred to the committee on internal improvements.

By Mr. Miles: petition of Henry Johr, late treasurer of the county of St. Clair, praying for relief.

Referred to the committee on State affairs.

By Mr. Slayton: petition of A. B. Sherk, Levi White and George Fox, township board of the township of Caledonia, in Kent county, respecting the action of said township in building a bridge across the Thornapple river.

Referred to the committee on local taxation.

By Mr. Slayton: petition of John Fairchild and 19 others, citizens of the township of Caledonia, in Kent county, asking the Legislature to legalize the tax roll of said township for the year 1866, and also for authority to issue bonds for bridge purposes.

Referred to the committee on local taxation.

#### REPORTS OF STANDING COMMITTEES.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to further amend an act entitled "an act to provide for the construction of train railways,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

WM. WARNER, *for Committee.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was re-committed

A bill to authorize fractional union school district No. 1, of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds;

And to whom was referred the petition of P. Merrill and 4 others, praying for the passage of said bill; and also the remonstrance of certain freeholders of said school district, against the passage of said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute for the bill recommitted to them, entitled

A bill to authorize fractional school district No. 1, of the townships of Parma, Concord, Spring Arbor and Sandstone, to issue bonds,

Which substitute provides that the matter of issuing said bonds shall be submitted to a vote of the qualified electors of said school district, at an annual or special meeting, recommending that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOLES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Jenness,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the memorial of Herman Goeschel, and 40 other German citizens, of East Saginaw, respecting the action of the com-

mon council of said city, in the improvement of Genesee St., in said city, respectfully report that they have had the same under consideration, and have directed me to report, that the substance of the petition is to the effect that the petitioners are owners of property on said Genesee St., which they state is the road leading to all the principal placas around said city, and that by action of the council, they are obliged to keep said thoroughfare in repair, which they deem oppressive, and they petition the Legislature for relief. Your committee find that the Legislatere did, by an act incorporating the city of East Saginaw, approved Feb. 15, 1859, provide for the election of certain municipal officers annually, by the people of said city, and delegated to those officers the control and management of the municipal affairs of said corporation, and provided, specially, that the common council shall be commissioners of highways for said city, and shall have the care and supervision of the highways, streets, bridges, lanes, alleys, parks, and public grounds therein, and that the common council may, by ordinance or otherwise, under such penalty or penalties as they may prescribe require the owners and occupants, or either of them, in said city, or in any specified part thereof, to repair, maintain and reconstruct sidewalks, pavements, and street improvements, adjoining their respective premises, to the middle of the street or alley, in such manner as the common council, by ordinance or otherwise, may direct.

But in the opinion of your committee the official acts of these municipal officers are subject to examination and review, by the courts, and if, in the judgment of competent judicial tribunals, the ordinances and requirements are found to be illegal, or unduly oppressive, these tribunals have the power to set them aside, and declare them invalid and void. It would seem to your committee to be impracticable for the Legislature of this State, holding only biennial sessions, and then only for a limited period, to attempt to take cognizance of, and to determine upon matters of difference between corporations and individuals; and parties aggrieved by the action of a municipality,



through its officers, have also an additional means of redress at the ballot box. The officers of this corporation are elected by the people annually, and if they transcend their powers or wield them to the injury and oppression of any considerable class of their fellow citizens, their places would probably soon be supplied by other men, disposed to act with equity and justice. While your committee would not be unwilling to do all in their power for the relief of the petitioners, still a legislation of this kind would be contrary to any precedent within the knowledge of the committee, and as both the courts and the ballot box afford ample opportunity and means for remedy and redress in the premises, your committee do not deem it expedient, under the circumstances, to make any recommendation, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Barter,

The memorial was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred: Senate bill No. 12, entitled

A bill to authorize the State Treasurer to surrender the bonds deposited in his office, as security for the circulating notes of certain chartered banks,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 12, entitled

A bill to provide for the purchase, preparation, and care of the Antietam National Cemetery, at Sharpsburgh, in the State of Maryland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred the petition of M. B. Deland, supervisor, and 21 others, to legalize the tax roll of the township of Spalding, in Saginaw county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to legalize the tax-roll of the township of Spalding, in the county of Saginaw, for the year 1866,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

W. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and,

On motion of Mr. Taylor,

The bill was placed on the order of third reading.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize school district number three, of the township of Victor, in the county of Clinton, to borrow money and to issue the bonds of said district therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. L. MASON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate bill No 31, entitled

A bill to legalize the tax rolls of certain townships in the county of Midland, in the year 1866,

Respectful'y report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. L. MASON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of Abel C. Smith and sixteen others, praying for authority for graded school district number one, of the township of Forrest, Genesee county, to issue the bonds of said district,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to authorize graded school district number one, of the township of Forrest, in the county of Genesee, to issue bonds for the purpose therein mentioned,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

A. L. MASON, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 19, entitled

A bill to amend section 4, of chapter 162, of the revised statutes of 1846, being section 5962 of the compiled laws, relative to proceedings to prevent crime,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on immigration:

The committee on immigration, to whom was referred

A bill to provide for the appointment of emigrant agents by the several counties, and to provide for their compensation by bounties upon actual settlers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without recommendation, and ask to be discharged from the further consideration of the subject.

GEO. K. NEWOOMBE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 7, entitled

A bill to establish and organize school district number thirteen, in the township of Oshtemo, county of Kalamazoo, and State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section four, of act 348 of the session laws of A. D. 1865, in relation to the calling of juries of six persons in certain cases,

Respectfully report that they have had the same under consideration, and are of the opinion that the amendment proposed conflicts with section (2), Art. (18) of the constitution, requiring a jury of twelve in certain cases, and have directed me to report the same back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend act No. 135, of the session laws of 1861 relative to register of probate for Wayne county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend it do pass,

and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of Charles G. Johnson, William H. Boyd, and fifty-one other citizens, tax-payers of the city of Monroe, asking that the time for collecting certain taxes therein named be extended,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to extend the time for the collection of taxes in the city of Monroe,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to add a new section to chapter one hundred and eighty, (180,) of the compiled laws, in regard to evidence in certain criminal cases;

Also,

A bill to amend section three (3) and section thirteen, (13,) of act No. 218, of the session laws of 1861, relative to actions for forcible or unlawful entry and detainer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass,

and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred the following concurrent resolution, viz:

*Whereas*, The people have voted to hold a convention to revise the State Constitution, and it is the duty of the Legislature to provide for carrying out the will of the people; therefore,

*Be it resolved*, That it is the sense of this House, that, in the said convention the whole people should be equally represented, and that not a mere majority of the people should be exclusively represented.

*Resolved*, That a majority of the electors should have a majority of the representatives in said convention, and that a minority of the electors should have a minority of the representatives. Man for man, the minority should be as fully represented as the majority. Unless they are, there is not equal representation, but a representation of inequality and privilege. There is a part whose fair and equal share of influence in the convention is withheld from them, contrary to all just representation, and, above all, contrary to the principles of Republican institutions, which profess equality for their very root and foundation.

*Resolved*, That the inevitable consequence of the manner in which votes are now taken, is the disfranchisement of minorities, and the numerical majority alone possess, practically, any voice in the State.

*Resolved*, That the virtual blotting out of the minority is no necessary or natural consequence of free institutions, but is diametrically opposed to the first principles of free government—representation in proportion to numbers. It is an

essential part of republican and democratic institutions, that minorities should be adequately represented. No real representation—nothing but a false show of representation—is possible without it.

*Resolved*, That real equality of representation is not obtained unless any set of electors amounting to the average number of a constituency, wherever, in the State, they may happen to reside, have the power of combining with one another to return a representative,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman*.

Report accepted and committee discharged.

Mr. C. R. Brown moved that the consideration of the resolutions be made the special order for two o'clock this afternoon;

Which motion prevailed.

Mr. Hawley asked permission to submit a minority report on the same subject.

Objected to by Mr. Ball.

By vote of the House, leave was granted Mr. Hawley to submit the following minority report:

The undersigned, member of the committee on State affairs, begs leave to make the following minority report on the following resolutions, referred to the committee:

*Whereas*, The people have voted to hold a convention to revise the State Constitution, and it is the duty of the Legislature to provide for carrying out the will of the people; therefore,

*Be it resolved*, That it is the sense of this House that, in the said convention, the whole people should be equally represented, and that not a mere majority of the people should be exclusively represented.



*Resolved*, That a majority of the electors should have a majority of the representatives, in said convention, and that a minority of the electors should have a minority of the representatives. Man for man, the minority should be as fully represented as the majority. Unless they are, there is not equal representation, but a representation of inequality and privilege. There is a part whose fair and equal share of influence in the convention is withheld from them, contrary to all just representation, and, above all, contrary to the principles of Republican institutions, which profess equality for their very root and foundation.

*Resolved*, That the inevitable consequence of the manner in which votes are now taken, is the disfranchisement of minorities, and the numerical majority alone possess, practically, any voice in the State.

*Resolved*, That the virtual blotting out of the minority is no necessary or natural consequence of free institutions, but is diametrically opposed to the first principles of free government—representation in proportion to numbers. It is an essential part of Republican and Democratic institutions, that minorities should be adequately represented. No real representation, nothing but a false show of representation, is possible without it.

*Resolved*, That real equality of representation is not obtained unless any set of electors amounting to the average number of a constituency, wherever in the State they may happen to reside, have the power of combining with one another to return a representative.

The pure idea of representative government is, that the whole people should be equally represented; but as now practiced, it is simply the majority that are represented. The minority must yield to the majority; but there is a wide difference between allowing the minority to be equally powerful with the majority and blotting it out altogether. The manner in which votes for representatives are now taken (by districts) is the entire disfranchisement of the minority, practically.

Habit can only reconcile us to the needless injustice. The unjust results can, however, be best seen in practice. At the last general State election, the total vote for Governor, as stated in the daily papers, was 164,454, of which the Republicans cast 96,746, and the Democrats 67,708. This is in the proportion of nearly three to two. If now the representatives of the people in Congress and in our State Legislature fairly and equally represented the people, two-fifths of our representatives in Congress would be Democrats; our State Senate would stand nearly nineteen Republicans to thirteen Democrats, and our House of Representatives nearly sixty Republicans to forty Democrats; but, in reality, all the representatives in Congress are Republicans, our State Senate stands thirty Republicans to two Democrats, and our House of Representatives eighty-three Republicans to seventeen Democrats. Thus all can see that the present system works unequally against the minority, whereas, if it must operate unjustly at all, it ought to be for the benefit of the weaker party. The minority need all their rights, but the majority, it is generally supposed, are able to protect themselves, without extraneous, tyrannical or unjust assistance. Not only by such injustice does the minority suffer, the present system often gives the powers of government to a majority of the majority, who may be, and often are, a minority of the whole.

For instance, suppose that our 32 State Senators were all republicans. They represent nearly three-fifths of the people. They adopt important legislative measures by a bare majority. What guarantee is there that these measures are the wish of the people? Two-fifths of the electors have been outvoted at the polls. Of the remaining three-fifths of the electors, nearly half, or say four-fifteenths, are opposed to the measure. Thus ten-fifteenths of the people, in the supposed case, are opposed to the opinion which has prevailed, and thus a minority have been erected into a ruling class. Any minority left out, purposely, or by the play of the machinery, gives the power not to a majority, but to a minority in some other part of the scale.

Under the present system the majority are often misrepresented. The necessity of not dividing the party, lest an opponent should be elected, induces all to vote for the person nominated in their convention, although his opinions may differ from theirs on nearly every point.

Speaking generally, the choice of the majority of any party is determined by the most partisan, narrow-minded and prejudiced class, who obtain seats in a convention, and generally, the majority accept the candidate forced on them by the weakest or worst portion of themselves. Who would not rejoice at the discovery that such evils could be dispensed with? Mr. Thomas Hare, of England, has proved its possibility in a draft of an act of Parliament. His scheme carries out a great principle to almost ideal perfection, and attains, incidentally, several other ends of scarcely inferior importance.

According to this plan, the unit of representation, the number of electors entitled to a representative, would be ascertained by dividing the number of electors by the number of seats, and every candidate who obtained that number would be elected, and any elector would be at liberty to vote for any candidate in any part of the State. It is also provided that an elector may deliver a voting paper containing other names in addition to his first choice. His vote would only be counted for one candidate, but if his first choice failed to get the necessary number of votes, the vote would go to his second choice, and he might be more fortunate, and so on in the order of his preferences. It is also provided that no candidate should retain a greater number of votes than necessary; the remainder of those who voted for him would have their votes counted for the next person on their lists who needed them, and could by their aid complete the quota. The voting papers would be conveyed to a central office and the quotas allotted until the number of the House was complete. The papers and calculations would be accessible to all concerned, so that if any one was elected and not returned, he could easily prove it.

In the first place this plan secures representation in propor-

tion to numbers, to every division of the electoral body ; not two great parties alone, but every minority, of a sufficiently large number to be, on principles of equal justice, entitled to a representative.

Secondly, every member would not, as is too often the case at present, represent simply a party caucus. He would represent an unanimous constituency.

The elector would have a choice from the whole State, and not merely from two or three rotten oranges perhaps, offered to him in his local market. This mode also affords the best security for the intellectual qualifications desirable in representatives. Small and educated minorities could elect their ablest men, and majorities would be compelled to elect members of a much higher calibre, to meet successfully cogent reasoning and able argument.

With all these fundamental reasons for Mr. Hare's system, what is there against it? Some think it unworkable, but these are persons who have barely heard of it, or have given it a very slight examination. Some affirm that the people will never consent to it. I do not think that the people have deserved to be, without trial, stigmatized as insurmountably prejudiced against anything which can be proved to be for their good. When prejudices persist obstinately, it is the fault of nobody so much as of those who make a point of proclaiming them insuperable, as an excuse to themselves for never joining in any attempt to remove them. Its unfamiliarity, however, is an objection; but in these days of discussion and improvement, what formerly was the work of centuries, now often only requires months or years.

In conclusion, I offer the following resolution:

*Resolved*, That justice and equity demand that in the approaching State Convention to revise our Constitution, all parties among the electors should be fairly and equally represented in proportion to their numbers, and that the Legislature should take such action as will secure this result.

THOMAS D. HAWLEY.

Report accepted.

On motion of Mr. Bonine,

The resolution was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, January 21, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 5, entitled

A bill to correct and legalize the assessment roll of the township of Ravenna, Muskegon county, for the year 1866, and extend the time for the collection of the same,

And to inform the House that the Senate has amended the same by adding the following to stand as sections 6 and 7:

Sec. 6. It shall be the duty of the treasurer of said township, before he shall be entitled to the provisions of this act, to renew his official bond to the satisfaction of the treasurer of said county.

Sec. 7. A transcript of all unpaid taxes returnable to the county treasurer, in pursuance of the foregoing provisions, shall be returned to the Auditor General, as soon as practicable, and such unpaid taxes shall be collected in the same manner, and with interest computed for the same time, as other taxes for the year eighteen hundred and sixty-six, duly returned to the Auditor General, for non-payment;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Hopkins moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Robinson,
Alexander,	Hopkins,	Rockwood,
Ball,	Howard,	Sexton,
Beall,	Huckins,	Shepherd,
Benedict,	Jenness,	Slayton,
Boies,	Jewell,	L. Smith,
Bonine,	J. H. Jones,	R. B. Smith,
A. S. Brown,	R. Jones,	E. Spalding,
C. R. Brown,	Kedzie	P. S. Spaulding,
W. G. Brown,	Locke,	Spence,
Canniff,	Lockwood,	Stannard,
Camburn,	Lovell,	Swift,
Corey,	Mallet,	Taylor,
Crossman,	Mason,	Tompkins,
Deane,	McCutcheon,	Upton,
Dunlap,	McKernan,	Van Vleet,
Dusseau,	Mead,	Walker,
Eck,	Mickley,	Warner,
Emery,	Murray,	Wells,
Fellows,	Newell,	White,
Funston,	L. D. Osborn,	Wilcox,
Gallup,	W. H. Osborn,	Wiley,
Glavin,	Packard,	Willard,
Greenfield,	F. Parsons,	Wilson,
Grier,	S. T. Parsons,	Woodman,
Haven,	Parmelee,	Wright,
Hawley,	Randall,	Speaker,
Healy,		

82

## NAYS.

0

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, January 21, 1867. }

*To the Speaker of the House of Representatives:*

• SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 16, entitled

A bill to amend section 24, of chapter one hundred and forty, of the revised statutes of 1846, being section five thousand

three hundred and eighty-four, of the compiled laws, relative to limitations of actions;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. L. Smith moved to discharge the committee of the whole from the further consideration of House bill No. 54, entitled

A bill to legalize the action of the annual and adjourned school meetings of fractional school district No. 4 and 1, of Pine River and Bethany, for the year A. D. 1866;

Which motion prevailed.

On motion of Mr. L. Smith,

The bill was placed on the order of third reading.

Mr. Kedzie gave notice that on some future day he would ask leave to introduce

A bill to repeal an act entitled an act to amend chapter 150, of the revised statutes of 1846, being chapter 175 of the compiled laws, entitled "of the fees of certain officers in civil cases."

Mr. Dusseau moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Monroe;

Which motion prevailed.

On motion of Mr. Dusseau,

The bill was placed on the order of third reading.

Mr. Glavin gave notice that on some future day he would ask leave to introduce

A bill to authorize the several townships of this State to

raise money by tax, or to borrow money to build or repair highways and bridges.

Mr. Hawley moved to take from the table, Senate manuscript bill, entitled

A bill to extend the time for the collection of State and county taxes in the city of Detroit;

Which motion prevailed.

Mr. Walker asked and obtained the unanimous consent of the House, to amend the bill by inserting the words "and taxpayers," after the word "collectors," in the third line of section 5.

The question being upon the passage of the bill,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Huckins,	Mr. Sexton,
Alexander,	Jenness,	Shepherd,
Ball,	Jewell,	Shetterly,
Beall,	J. H. Jones,	Slayton,
Benedict,	R. Jones,	L. Smith,
Boies,	Kedzie,	R. B. Smith,
Bonine,	Locke,	E Spalding,
A. S. Brown,	Lockwood,	P. S. Spaulding,
C. R. Brown,	Mallet,	Spence,
W. G. Brown,	Mason,	Stannard,
Canniff,	McCutcheon,	Storrs,
Camburn,	McKernan,	Swift,
Corey,	Mead,	Taylor,
Crossman,	Mickley,	Tompkins,
Deane,	Miles,	Upton,
Dusseau,	Newcombe,	Van Vleet,
Eck,	Newell,	Walker,
Emery,	L. D. Osborn,	Warner,
Fellows,	W. H. Osborn,	Wells,
Funston,	Packard,	White,
Glavin,	Parker,	Wilcox,
Greenfield,	F. Parscns,	Wiley,
Grier,	S. T. Parsons,	Willard,
Hawley,	Parmelee,	Wilson,
Healy,	Randall,	Woodman,
Hill,	Robinson,	Wright,



Hopkins,  
Howard,

Rockwood,

Speaker,

82

## NAYS.

Mr. Dunlap,  
Murray,

Mr. Haven,

Mr. Lovell,

4

Title agreed to.

On motion of Mr. Walker,

- By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

• Mr. White asked and obtained leave of absence for himself and Messrs. E. Spalding, L. D. Osborn, McCutcheon and W. H. Osborn, after to-day, for the purpose of visiting the Asylum for the Deaf, Dumb and Blind.

Mr. Hopkins asked and obtained leave of absence for Mr. Storrs.

Mr. Randall, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the city of Marshall, in Calhoun county.

The bill was read a first and second time by its title, and,

On motion of Mr. Randall,

The rules were suspended, and the bill was put upon its immediate passage.

The bill, being House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Marshall, in Calhoun county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Boies,  
Bonine,Mr. Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
R. Jones,  
KedzieMr. Rockwood,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
R. B. Smith,

A. S. Brown,	Locke,	E. Spalding,
O. R. Brown,	Lockwood,	P. S. Spaulding,
W. G. Brown,	Mallet,	Spence,
Canniff,	Mason,	Stannard,
Canburn,	McCutcheon,	Swift,
Corey,	McKernan,	Taylor,
Crossman,	Mead,	Tompkins,
Deane,	Mickley,	Upton,
Dusseau,	Miles,	Van Vleet,
Eck,	Newcombe,	Walker,
Emerson,	Newell,	Warner,
Emery,	L. D. Osborn,	Wells,
Fellows,	W. H. Osborn,	White,
Funston,	Packard,	Wilcox,
Gallup,	Parker,	Wiley,
Glavin,	F. Parsons,	Willard,
Greenfield,	S. T. Parsons,	Wilson,
Grier,	Parmelee,	Woodman,
Hawley,	Randall,	Wright,
Healy,	Robinson,	Speaker,
Hill,		

85

## NAYS.

Mr. Dunlap,      Mr. Lovell,      Mr. Murray,      3

Title agreed to.

On motion of Mr. Randall,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Van Vleet gave notice that on some future day he would ask leave to introduce

Joint resolution relative to the claim of the State against E. H. Hazelton & Co.;

Also,

A bill to amend section one, of act No. 266, session laws of 1865, being an act to authorize any of the townships and cities of the counties of St. Clair, Lapeer and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron to some point on the line of the Detroit and Milwaukee railroad, in Shiawassee county.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend section 5311, of the compiled laws, in regard to costs in *quo warranto* cases.

Mr. Boies offered the following:

*Resolved*, That the use of this Hall is hereby tendered to James B. Nicholson, Esq., of Philadelphia, Past Grand Sire of the Independent order of Odd Fellows in the United States, on some evening when it may suit his convenience, and when the Hall is not otherwise engaged, for the purpose of delivering a public address upon the principles of Odd Fellowship;

Which was adopted.

Mr. B. B. Smith, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Lyons.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Tompkins, previous notice having been given, and leave being granted, introduced

A bill to confirm the title of the Northern Central Michigan Railroad Company to the property, rights and franchises acquired by it of the Amboy, Lansing and Traverse Bay Railroad Company.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Tompkins, previous notice having been given, and leave being granted, introduced

A bill to authorize any of the townships, cities and villages of the counties of Ingham, Eaton, Jackson, Calhoun and Hillsdale, to pledge their credit, by donation or subscription to the capital stock, to aid in the construction of the Northern Central Michigan railroad.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Glavin, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Three Oaks, in the county of Berrien.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Dansville.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Jewell, previous notice having been given, and leave being granted, introduced

A bill to provide for the laying out and establishing a State road to be known as the extension of the Englishville and Croton State road, and appropriating certain swamp lands for the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Warner, previous notice having been given, and leave being granted, introduced

A bill to amend section of 94, of chapter 17, of the compiled laws, so as to provide for furnishing, periodically, to the county treasurers, the number of the tax sale certificates redeemed at the State Treasury, for public reference.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Warner, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 187 of the compiled laws, by requiring judges to direct the attention of grand jurors and prosecuting attorneys thereto.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill for the prosecution and punishment of trespass on land donated by the United States to the State of Michigan for railroad purposes.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to tax banking associations organized under the law of the United States.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Slayton, previous notice having been given, and leave being granted, introduced

A bill to authorize the township of Caledonia, in Kent county, to issue bonds for bridge purposes.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Slayton, previous notice having been given, and leave being granted, introduced

A bill to legal ize the tax roll of the township of Caledonia, in Kent county, for A. D. 1866.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to amend section three thousand four hundred and thirty-eight, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

Joint resolution asking Congress for an appropriation of money to improve Portage entry and river, in Houghton county.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Woodman offered the following:

*Resolved*, That hereafter no memorial shall be printed upon the journal unless the same shall have been read to the House;

Which was adopted.

## THIRD READING OF BILLS AND RESOLUTIONS.

Senate bill No. 9, entitled

A bill relative to recording deeds, mortgages and instruments of record, and to declare the effect thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr Aitkin	Mr. Hill,	Mr. Randall,
Alexander,	Hopkins,	Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Sexton,
Beall,	Jenness,	Shepherd,
Benedict,	J. H. Jones,	Shetterly,
Boies,	R. Jones,	C. C. Smith,
Bonine,	Kedzie,	L. Smith,
A. S. Brown,	Locke,	R. B. Smith,
O. R. Brown,	Lockwood,	E. Spalding,
W. G. Brown.	Lovell,	P. S. Spaulding,
Canniff,	Mallet,	Spence,
Camburn,	Mason,	Stannard,
Corey,	McCutcheon,	Swift,
Crossman,	McKernan,	Taylor,
Deane,	Mead,	Tompkins,
Dunlap,	Mickley,	Upton,
Dusseau,	Miles,	Walker,
Eck,	Murray,	Warner,
Emerson,	Newcomb,	Wells,
Emery,	Newell,	White,
Fellows,	L. D. Osborn,	Wilcox,
Funston,	W. H. Osborn,	Wiley,
Gallup,	Packard,	Willard,
Glavin,	Parker,	Wilson,
Greenfield,	F. Parsons,	Woodman,
Grier,	S. T. Parsons,	Wright,
Hawley,	Parmelee,	Speaker,
Healy,		

85

## NAYS.

Mr. Slayton.

1

On motion of Mr. Swift,

Mr. Van Vleet was excused from voting.

The title of the bill was agreed to.

House bill No. 37, entitled

A bill to amend section six, of chapter twenty-four, of the revised statutes of 1846, being section 1103 of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. S. T. Parsons,

The bill was recommitted to the committee of the whole.

On motion of Mr. Newcombe,

The rule requiring the second and third reading of bills to be on different days was suspended, and the other bills on the order of third reading, were put upon their passage.

House manuscript bill, entitled

A bill to legalize the tax-roll of the township of Spalding, in the county of Saginaw, for the year 1866,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Randall,
Alexander,	Hopkins,	Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Sexton,
Beall,	Jenness,	Shepherd,
Benedict,	Jewell,	Shetterly,
Boies,	J. H. Jones,	Slayton,
Bonine,	R. Jones,	C. C. Smith,
A. S. Brown,	Kedzie,	L. Smith,
C. R. Brown,	Locke,	R. B. Smith,
W. G. Brown,	Lockwood,	E. Spaulding,
Canniff,	Lovell,	P. S. Spaulding,
Camburn,	Mallet,	Stannard,
Corey,	Mason,	Swift,
Crossman,	McCutcheon,	Taylor,
Deane,	McKernan,	Tompkins,
Dunlap,	Mead,	Upton,
Desseau,	Mickley,	Van Vleet,
Eck,	Miles,	Walker,
Emerson,	Murray,	Warner,
Emery,	Newcombe,	Wells,
Fellows,	Newell,	White,
Funston,	L. D. Osborn,	Wilcox,

Gallup,	W. H. Osborn,	Wiley,	
Glavin,	Packard,	Willard,	
Greenfield,	Parker,	Wilson,	
Grier,	F. Parsons,	Woodman,	
Haven,	S. T. Parsons,	Wright,	
Hawley,	Parmelee,	Speaker,	
Healy,			88
	NAYS.		0

Title agreed to.

On motion of Mr. Newcombe,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Monroe,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Warner moved that the bill be recommitted to the committee on the judiciary;

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Sexton,
Alexander,	Healy,	Shepherd,
Ball,	Hill,	Shetterly,
Barber,	Hopkins,	Slayton,
Benedict,	Jones,	C. C. Smith,
Bonine,	Locke,	L. Smith,
C. R. Brown,	Mallet,	R. B. Smith,
W. G. Brown,	McKernan,	E. Spalding,
Canniff,	Mead,	P. S. Spaulding,
Corey,	Newcombe,	Swift,
Crossman,	Newell,	Tompkins,
Dusseau,	L. D. Osborn,	Upton,
Eck,	W. H. Osborn,	VanVleet,
Emerson,	Packard,	Walker,
Emery,	Parker,	Wells,
Fellows,	F. Parsons,	White,
Funston,	S. T. Parsons,	Willard,
Gallup,	Parmelee,	Wilson,



Glavin,  
Grier,

Robinson,  
Rockwood,

Wright,  
Speaker.

60

# NAYS.

Mr. Beal,  
Boies,  
A. S. Brown,  
Camburn,  
Deane,  
Dunlap,  
Greenfield,  
Haven,  
Howard,  
Huckins,

Mr. Jenness,  
Jewell  
J. H. Jones,  
Lockwood,  
Kedzie,  
Lovell,  
Mason,  
McCutcheon,  
Mickley,

Mr. Miles,  
Murray,  
Randall,  
Stannard,  
Taylor,  
Warner,  
Wilcox,  
Wiley,  
Wondman,

28

Title agreed to.

Mr. White moved to reconsider the vote by which the bill was passed.

Mr. Slayton moved to lay the motion on the table;

Which was not agreed to.

The motion to reconsider was withdrawn.

On motion of Mr. S. T. Parsons,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Taylor,

The House took a recess until two o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: a quorum present.

The House resumed business under the order of

### THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 54, entitled

A bill to legalize the action of the annual and adjourned school meetings of fractional school district number four and one, of the townships of Pine River, and Bethany, in Gratiot county, for the year A. D., 1866,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Parmelee,
Alexander,	Hill,	Randall,
Ball,	Hopkins,	Robinson,
Barber,	Howard,	Rockwood,
Beall,	Huckins,	Sexton,
Benedict,	Jeness,	Sheherd,
Boies,	Jewell,	Shetterly,
Bonine,	J. H. Jones,	Slayton,
A. S. Brown,	R. Jones,	C. C. Smith,
C. R. Brown,	Kedzie,	L. Smith,
W. G. Brown,	Locke,	R. B. Smith,
Canniff,	Lockwood,	E. Spalding,
Camburn,	Lovell,	P. S. Spaulding,
Corey,	Mallet,	Spence,
Crossman,	Mason,	Stannard,
Deane,	McOutcheon,	Swift,
Dunlap,	McKernan,	Tompkins,
Dusseau,	Mead,	Upton,
Eck,	Mickley,	Van Vleet,
Emerson,	Miles,	Walker,
Emery,	Murray,	Warner,
Fellows,	Newcombe,	Wells,
Funston,	Newell,	White,
Gallup,	L. D. Osborn,	Wilcox,
Glavin,	W. H. Osborn,	Willard,
Greenfield,	Packard,	Wilson,
Grier,	Parker,	Woodman,
Haven,	F. Parsons,	Wright,
Hawley,	S. T. Parsons,	Speaker, 88

## NAYS.

0

Title agreed to.

On motion of Mr. L. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## SPECIAL ORDER.

On motion of Mr. Hawley,

The House went into committee of the whole, on the special order,

Mr. Wilcox in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 29, entitled

A bill to provide for the revision of the constitution of the State of Michigan;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

W. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. L. Smith,

The House concurred in the amendments made to the bill by the committee, and the bill was placed on the order of third reading.

On motion of Mr. Jenness,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Wednesday, January 23, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Banwell.

Roll called: quorum present.

Mr. Bonine asked and obtained leave of absence for himself, after noon to-day.

Mr. C. R. Brown asked and obtained leave of absence for himself, after noon to day.

Mr. Alexander asked and obtained leave of absence for Mr. Wells, for an indefinite time.

Mr. Wright asked and obtained leave of absence for Mr. Wilson, for an indefinite time.

#### PRESENTATION OF PETITIONS.

By Mr. Deane: remonstrance of Melvin W. Scott and 58

others, citizens of Newaygo county, against extending the time for the completion of the Grand Rapids and Indiana railroad.

Referred to the committee on internal improvements.

By Mr. Jenness: petition of C. & E. King, Brooks & Mills and 40 others, business firms of Ypsilanti, praying for a law making railroad companies responsible for merchandise, &c., lost by fire.

Referred to the committee on the judiciary.

By Mr. R. B. Smith: petition of W. O. Page, H. Rich, G. S. Cooper and 57 others, citizens of the village of Ionia, asking for the passage of a law defining the responsibility of railroad companies in cases of fire.

Referred to the committee on the judiciary.

By Mr. Alexander: petition of John W. Fitzgerald and 27 others, citizens of the village of Ovid, Clinton county, asking the passage of a law making railroad companies, in this State, responsible for damages accruing to goods, merchandise, &c., left with them for transportation.

Referred to the committee on the judiciary.

By Mr. Van Vleet: petition of James E. Brown and 54 others, citizens of Clayton, Genesee county, asking the Legislature to pass a law to equalize the State bounty to soldiers who served in the late rebellion.

Referred to the committee on bounties.

By Mr. Hopkins: petition of C. B. Albee, Henry Pennoyer and 113 others, citizens of Ottawa county, praying for a grant of swamp land, to aid in the construction of a swing bridge across Grand river, between Grand Haven and Mill Point, in said county.

Referred to the committee on public lands.

By Mr. Hopkins: petition of Israel N. Harris, J. F. Reekie and 22 others, owners and resident tax-payers upon sections 19 and 20, in T. 8, N., of R. 16 W., of the township of Spring Lake, in Ottawa county, praying, for reasons stated, to be incorporated in the city of Grand Haven.

Referred to the committee on banks and incorporations.

By Mr. Crossman: petition of D. W. Halsted, John Coatsworth, Perry Henderson and 90 others, business men and citizens of Mason, Ingham county, Michigan, asking the passage of a law defining the liability of railroad companies in cases of losses by fire.

Referred to the committee on the judiciary.

By Mr. Rockwood: petition of Rev. J. H. Phelps, C. E. Bulison and, 70 others, of Flushing, Genesee county, asking the passage of a law, equalizing State bounties to soldiers.

Referred to the committee on bounties.

By Mr. W. G. Brown: petition of R. E. Aldrich, R. Landon, Orin Gillett, H. W. Donnelly and 72 others, tax-payers of fractional school district No. 1, of Parma, Concord, Spring Arbor and Sandstone, asking the Legislature to legalize a vote of said district, authorizing them to raise money for the purchase of a site for, and to build a school-house.

Referred to the committee on banks and incorporations.

By Mr. W. G. Brown: petition of Alonzo Fargo, Russell Warner and 37 others, citizens of Grass Lake, Jackson county, asking the Legislature to enact a law, making railroad companies liable for damages by fire to goods left in their possession.

Referred to the committee on the judiciary.

By Mr. J. H. Jones: petition of Dickinson & Webb, Mockridge, Green & Co., and 175 others, citizens of Coldwater, asking for the passage of a law, making railroad companies in this State, responsible for all damages by fire to all goods left with them for transportation.

Referred to the committee on the judiciary.

By Mr. Haven: petition of A. L. Deming and 89 others, citizens of Olarendon, Calhoun county, asking the Legislature to legalize the action of said township in voting aid to the Grand Trunk Railway, of Michigan.

Referred to the committee on internal improvements.

By Mr. Upton: petition of R. H. Anderson and 29 others, electors of the township of Rives, praying that the action of the

county of Jackson, granting aid to the Grand Trunk Railway, of Michigan, be confirmed;

Also, petition of Charles P. Goodwin and 150 others, citizens of the city of Jackson, for the same purpose.

Referred to the committee on internal improvements.

By Mr. Upton: petition of Charles R. Knickerbocker, Jerome B. Eaton and 48 others, business men of the city of Jackson, praying for the enactment of a law, making all railroad companies doing business in this State, responsible for damages occurring by fire to all goods and merchandise while in the possession of said railroad companies.

Referred to the committee on the judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for the extension of the Englishville and Croten State road, and making certain appropriations therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred,

A bill to authorize the township of Caledonia, in Kent county, to issue bonds for bridge purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. L. MASON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax roll of the township of Caledonia, in Kent county, for A. D. 1866,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. L. MASON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred Senate bill No. 15, being

A bill supplementary to section nineteen, of an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by an act of Congress, approved June third, eighteen hundred and fifty-six, approved February fourteenth, eighteen hundred and fifty-seven, and to an act approved February fifth, eighteen hundred and sixty-four, and also to an act entitled an act to confer an additional grant of public lands upon the Grand Rapids and Indiana Railroad Company, approved March 10, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

Mr. Woodman moved that the bill be placed on the order of third reading.

Mr. Hopkins demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Ball,	Mr. Locke,	Mr. C. C. Smith,
Beall,	Lovell,	Tompkins,
Bonine,	Mason,	Upton,
A. S. Brown,	McKernan,	Van Vleet,
C. R. Brown,	Mead,	Walker,
Eck,	Miles,	Wilcox,
Glavin,	Parker,	Willard,
Haven,	F. Parsons,	Woodman,
Jewell,	Shepherd,	Speaker,
Kedzie,		

28

## NAYS.

Mr. Aitkin,	Mr. Grier,	Mr. S. T. Parsons,
Alexander,	Hawley,	Parmelee,
Barber,	Healy,	Randall,
Benedict,	Hill,	Robinson,
Boies,	Hopkins,	Rockwood,
W. G. Brown,	Howard,	Sexton,
Canniff,	Huckins,	Shetterly,
Camburn,	Jenness,	Slayton,
Corey,	J. H. Jones,	L. Smith,
Crossman,	R. Jones,	P. S. Spaulding,
Deane,	Lockwood,	Spence,
Dunlap,	Mallet,	Stannard,
Dusseau,	Mickley,	Swift,
Emerson,	Murray,	Taylor,
Fellows,	Newcombe,	Warner,
Funston,	Packard,	Wright,
Greenfield,		

49

Mr. Deane moved that the bill be made the special order for Saturday, Feb. 2d, at 2 o'clock P. M.

Mr. Warner moved that it be made the special order for two o'clock this afternoon.

Mr. Woodman moved to make the bill the special order for two o'clock P. M., of Thursday, the 31st inst.

The question first being upon the motion of Mr. Deane,



Mr. Grier demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,	Mr. Funston,	Mr. McKernan,
Barber,	Gallup,	Murray,
Boies,	Greenfield,	Newcombe,
W. G. Brown,	Grier,	Packard,
Canniff,	Hawley,	Robinson,
Camburn,	Healy,	Rockwood,
Corey,	Hopkins,	Sexton,
Crossman,	Howard,	Shetterly,
Deane,	Huckins,	Slayton,
Dunlap,	J. H. Jones,	Stannard,
Dusseau,	Locke,	Swift,
Emerson,	Lockwood,	Wiley,
Fellows,	Mallet,	Wright,

89

## NAYS.

Mr. Aitkin,	Mr. Kedzie,	Mr. R. B. Smith,
Ball,	Lovell,	P. S. Spaulding,
Beall,	Mason,	Spence,
Benedict,	Mead,	Taylor,
Bonine,	Mickley,	Tompkins,
A. S. Brown,	Miles,	Upton,
O. R. Brown,	Parker,	Van Vleet,
Eck,	F. Parsons,	Walker,
Glavin,	S. T. Parsons,	Warner,
Haven,	Parmelee,	Wilcox,
Hill,	Randall,	Willard,
Jenness,	Shepherd,	Woodman,
Jewell,	O. C. Smith,	Speaker,
R. Jones,	L. Smith,	

41

Mr. Hopkins moved to make the bill the special order for Tuesday, the 5th of February, at 2 o'clock P.M.;

Which motion prevailed.

By the committee on ways and means:

The committee on ways and means, to whom was referred the memorial of Wm. Jennison, State Reporter, relative to salary of that office,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to amend section 4042, of chapter 119, of the compiled laws,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

W. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The memorial was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend section 876, of chapter seventeen, of the compiled laws, so as to provide for furnishing to the county treasurers the numbers of the tax sale certificates redeemed of the State Treasurer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution granting lands to the Lac La Belle harbor improvement company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHARLES E. MICKLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hill,

The joint resolution was placed on the order of third reading.

By the committee on federal relations:

The committee on federal relations, to whom was referred the following resolutions:

*Whereas*, There are many thousands of acres of valuable lands called "railroad lands," which are mainly located in the most recently settled portion of the State, and have been withheld from sale for about ten years past, greatly to the hindrance of the settlement of the country, the laying out and construction of roads, the organization and maintenance of schools and churches, and the full development of the wealth of the State, and which withholding from sale of said lands is a just cause of complaint by the people where they are located;

*And whereas*, A sale of those lands at public auction, to the highest bidder, after due public notice, would open them to settlement, and secure their full value for the construction of the contemplated railroads, without sacrifice, and thus greatly promote the settlement, growth, and development of the State, and hasten the construction of the railroads, for which purpose they were generously donated by the United States, and thus remove all cause of complaint above alluded to; therefore,

*Resolved*, (The Senate concurring,) That our Senators in Congress be and they are hereby instructed, and our Representatives, (in Congress,) requested to vote for, and use their influence to obtain the passage of a law by Congress, allowing the railroad lands of this State to be publicly advertised and sold at public vendue, to the highest bidder, in the usual Government subdivisions, at the respective land offices where located, provided no bid shall be received less than \$4 per acre, and all lands not thus sold, to be subject to private entry after such public sale, at \$4 per acre, and the proceeds of all such lands to be retained in trust for the construction of the respective railroads for which they were donated, and be paid over to them when they are entitled to the same, on the same terms

and conditions as the lands would have been made over to them, had they not been sold; and be it further

*Resolved*, That the Governor be authorized and requested, to forward a copy of these preamble and resolutions, properly signed by the President of the Senate, and Speaker of the House of Representatives, to each of our Senators and Representatives in Congress, immediately after the passage of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the following amendment: After the word "sold," in the last line of the first resolution, insert, " Provided the same can be done without any violation of plighted faith on the part of Congress," recommending that the amendment be concurred in, and that the concurrent resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

CYRUS E. MICKLEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the amendment made to the resolution by the committee.

Mr. Newcombe moved that the resolutions be made the special order for Friday, February 1st;

Which motion prevailed.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred Senate bill No. 10, being

A bill to legalize certain bonds issued by the townships of Kalamazoo and Portage, in the county of Kalamazoo, to aid in the construction of the Kalamazoo and Schoolcraft railroad,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kedzie,

The bill was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor for approval, the following entitled bill:

A bill to correct and legalize the assessment roll of the township of Ravenna, Muskegon county, for the year 1866, and extend the time for the collection of the same.

DANIEL UPTON, *Chairman.*

Report accepted.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 16, entitled

A bill to amend section 24, of chapter 140, of the revised statutes of 1846, being section 5384 of the compiled laws, relative to limitations of actions,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

the petition of H. G. Thomas and 70 others, freeholders of the township of New Haven, in the county of Shiawassee, praying for the repeal of act No. 354, of the session laws of 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to repeal act No. 354, of the session laws of 1865, entitled an act appropriating certain highway taxes for the improvement of a road leading from Corunna, in the county of Shiawassee, to Saginaw City, in the county of Saginaw, and to provide for the appropriation of funds in the hands of the commissioners mentioned in said act,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 4743, 4761, 4763, 4764, 4773 and 4775, of the compiled laws, relating to proceedings against debtors by attachment,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend sections 4743, 4761, 4763, 4764, 4773, 4775 and 4776, of the compiled laws, relating to proceedings against debtors by attachment,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. S. Brown,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 5690 and 5691, of the compiled laws, being sections 2 and 3, of an act relative to the costs of proceedings in criminal cases, approved March 13, 1849,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be referred to the committee of the whole, and ask that this committee be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter one hundred and eighty-seven, of the compiled laws, in regard to lotteries, requiring judges to direct the attention of grand juries,

Respectfully report that they have had the same under consideration, and deeming the existing laws sufficient, if enforced, have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Jenness,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the city of Battle Creek, and the townships in the counties of Calhoun, Kalamazoo and Barry, to raise by tax and donate money to the Agricultural and Mechanical Association of Battle Creek,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the Detroit and Saline plank road company to vacate a portion of its road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize any of the townships, cities and incorporated villages in the counties of Saginaw, Gratiot and Clinton to vote a tax or pledge their credit to aid in the construction of



a plank road from Saginaw, by way of St. Louis or Alma, to St. Johns, in Clinton county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. L. Smith,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Dansville,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Greenville,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the

bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Camburn,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 5756, 5757, and 5758 of the compiled laws, relative to the crime of burglary,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section fifty-seven hundred and fifty-four, of the compiled laws, in regard to the crime of burglary,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Grier,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Jan. 23, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Flint and Genesee, in the county of Genesee, for the year 1866,

And to inform the House that the Senate has amended the same by striking out the word "and," in the 3d line of section 1, and by inserting after the word "Genesee," where it first occurs in the 8d line, the following words: "Fenton and Gaines, and the city of Flint,"

And to further inform the House that the Senate has amended the title so as to conform with the bill;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Van Vleet moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Haven,	Mr. Robinson,
Alexander,	Hill,	Rockwood,
Ball,	Hopkins,	Sexton,
Barber,	Huckins,	Shepherd,
Beall,	Jenness,	Shetlerly,
Benedict,	Jewell,	Slayton,
Boies,	J. H. Jones,	O. Q. Smith,
Bonine,	R. Jones,	L. Smith,
A. S. Brown,	Kedzie,	R. B. Smith,
O. R. Brown,	Locke,	P. S. Spaulding,
W. G. Brown,	Lockwood,	Spence,
Canniff,	Mallet,	Stannard,
Camburn,	Mason,	Swift,
Corey,	McKernan,	Taylor,
Crossman,	Mead,	Tompkins,
Deane,	Mickley,	Upton,
Dusseau,	Miles,	Van Vleet,
Eck,	Murray,	Walker,

Emmerson,	Newcombe,	Wilcox,	
Fellows,	Packard,	Wiley,	
Funston,	Parker,	Willard,	
Gallup,	F. Parsons,	Woodman,	
Glavin,	S. T. Parsons,	Wright,	
Greenfield,	Parmelee,	Speaker,	
Grier,	Randall,		74

## NAYS.

Mr. Dunlap,	Mr. Lovell,	2
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The amendments made to the title were concurred in.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, January 23, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution directing the board of State Auditors to audit the accounts and claims of the late Secretary of State, for repairing and improving the State House;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

On motion of Mr. L. Smith,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 23, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 14, entitled

A bill to amend an act entitled "An act to incorporate the city of Marshall," approved Feb. 14, 1859, relative to the jurisdiction of justices of the peace;

2. Senate bill No. 29, entitled

A bill to amend act number one hundred and six, of the session laws of eighteen hundred and sixty one, entitled an act in relation to the collection of recognizances in criminal cases, approved March 7, 1861;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 23, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved.* (the House concurring,) That the committee on the State Prison, of the Senate and of the House, acting jointly, be directed to visit the Detroit House of Correction, and inquire into and report upon the condition and management of that institution, the treatment of persons confined therein, and that they recommend such changes in the law, as in their judgment

may be expedient in reference to persons confined by authority of law therein;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. L. Smith,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER,

Lansing, January 23, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 27, entitled

A bill to accept a grant of land made by Congress to aid in the construction of a harbor at Lac La Belle;

2. Senate bill No. 32, entitled

A bill to amend section 42, of chapter 65, of the revised statutes of 1846, entitled "of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages," being section 2761 of the compiled laws, and to add three new sections to said chapter 65, to stand as sections 45, 46 and 47, thereof;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and,

On motion of Mr. Hill,

Was placed on the order of third reading.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, January 23, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Bangor, in the county of Bay, for the year 1866;

2. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Bay City, for the year 1866;

3. House manuscript bill, entitled

A bill to authorize fractional school district No. 5, of the townships of Brighton and Genoa, Livingston county, to borrow money to build a school-house;

4. House manuscript bill, entitled

A bill to extend the time for the collection of taxes for the year eighteen hundred and sixty-six, in the township of Chesaning, in the county of Saginaw;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, January 23, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Ionia and Lyons, in the county of Ionia, for the year one thousand eight hundred and sixty-six;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and, On motion of Mr. R. B. Smith,

The rules were suspended and the bill put upon its immediate passage.

The bill, being Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Ionia and Lyons, in the county of Ionia, for the year 1866,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Robinson,
Alexander,	Hill,	Rockwood,
Ball,	Hopkins,	Sexton,
Barber,	Howard,	Shepherd,
Beall,	Huckins,	Shetterly,
Benedict,	Jenness,	Slayton,
Boies,	Jewell,	C. O. Smith,
Bonine,	J. H. Jones,	L. Smith,
A. S. Brown,	R. Jones,	R. B. Smith,
C. R. Brown,	Kedzie,	P. S. Spaulding,
W. G. Brown,	Locke,	Spence,
Canniff,	Lockwood,	Stannard,
Camburn,	Mallet,	Swift,
Corey,	Mason,	Taylor,
Crossman,	McKernan,	Tompkins,
Dusseau,	Mead,	Upton,
Eck,	Mickley,	Van Fleet,
Emery,	Miles,	Walker,



Fellows,	Newcombe,	Warner,	
Funston,	Packard,	Wilcox,	
Gallup,	Parker,	Wiley,	
Glavin,	F. Parsons,	Willard,	
Greenfield,	S. T. Parsons,	Woodman,	
Grier,	Parmelee,	Wright,	
Hawley,	Randall,	Speaker,	75

## NAYS.

Mr. Dunlap,	Mr. Lovell,	Mr. Murray,	
Haven,			4

Title agreed to.

On motion of Mr. R. B. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. L. Smith offered the following:

*Whereas*, By a resolution adopted by this House, January 4th, 1867, the Clerk was authorized to procure a sufficient number of Farmer's township maps of Michigan, so that each member and officer may have a copy;

*And whereas*, The Clerk did procure a sufficient number, as directed by said resolution, and the Board of State Auditors refuse to audit the account because the order was not made by concurrent resolution; therefore

*Resolved*, (the Senate concurring,) That the Board of State Auditors be and they are hereby requested to audit said account, when presented and certified to by the Clerk.

On motion of Mr. L. Smith,

The rule requiring concurrent resolutions to lie upon the table for one day, was suspended, and the resolution was adopted.

On motion of Mr. Hopkins,

The House took a recess until this afternoon at 2 o'clock.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

## MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,  
Lansing, January 23, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 9, entitled

A bill to enlarge the powers and duties of sheriffs, under and deputy sheriffs,

And to inform the House that the Senate has amended the same by inserting after the word "peace," in the 4th line of section 1, the following: "and to have and exercise all the powers and duties of constables;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. S. T. Parsons moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Alexander,  
Ball,  
Beall,  
Boies,  
W. G. Brown,  
Canniff,  
Camburn,  
Corey,

Mr. Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
R. Jones,  
Kedzie,  
Locke,  
Lockwood,  
Lovell,

Mr. Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
R. B. Smith,  
P. S. Spaulding,  
Spence,

Crossman,	Mallet,	Stannard,	
Deane,	Mason,	Swift,	
Dunlap,	McKernan,	Tompkins,	
Eck,	Mickley,	Upton,	
Emerson,	Miles,	Van Vleet,	
Fellows,	Newcombe,	Walker,	
Glavin,	Packard,	Warner,	
Greenfield,	Parker,	Wilcox,	
Grier,	F. Parsons,	Wiley,	
Hawley,	S. T. Parsons,	Willard,	
Healy,	Parmelee,	Woodman,	
Hill,	Robinson,	Wright,	
Hopkins,	Rockwood,	Speaker,	
Howard,			67
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The House then resumed the order of

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill to amend section one, of act No. 266, session laws of 1865, being an act to authorize any of the townships and cities of the counties of St. Clair, Lapeer, Genesee and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron to some point on the line of the Detroit and Milwaukee railroad, in Shiawassee county.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill relative to the claims of the State of Michigan against E. H. Hazelton & Co.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend section 5311 of the compiled laws, in regard to costs in quo warranto cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Wright, previous notice having been given, and leave being granted, introduced

A bill to prevent the running at large of bulls, boars and rams.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill to authorize judges of probate to complete the records of proceedings before their predecessors.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Dunlap moved to discharge the committee of the whole from the further consideration of House bill No. 48, entitled

A bill to change the name of Elmore Cassidy, to Howard Homer Fife;

Which motion prevailed.

On motion of Mr. Dunlap,

The bill was laid on the table.

Mr. S. T. Parsons moved to discharge the committee of the whole from the further consideration of House bill No. 52, entitled;

A bill to amend section fourteen, of act No. 60, of the session laws of 1863.

Which motion prevailed.

On motion of Mr. S. T. Parsons,

The bill was placed on the order of third reading.

Mr. Boies moved to discharge the committee of the whole from the further consideration of House bill No. 22, entitled

A bill to authorize fractional union school district number one, of the townships of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds;

Which motion prevailed.

Mr. Boies moved to reconsider the vote by which the substitute for the bill was adopted;

Which motion prevailed.

The question being upon the adoption of the substitute ;

It was not adopted.

On motion of Mr. Boies,

\* The bill was placed on the order of third reading.

Mr. Mickley offered the following:

*Resolved*, That the use of this Hall be granted, for Thursday evening, Jan. 31st, to Mr. G. B. Stobbins, to lecture on the "equal education of women, in schools and universities;"

Which was adopted.

Mr. S. T. Parsons gave notice that on some future day he would ask leave to introduce

A bill to regulate the running of railway trains upon the road of the so-called Detroit and Milwaukee railroad company.

Mr. Grier gave notice that on some future day he would ask leave to introduce

A bill to authorize the payment of traveling expenses of the justices of the supreme court, and the circuit judges of this State.

Mr. Kedzie gave notice that on some future day he would ask leave to introduce

A bill to authorize the graded school district number one, of the township of Vevay, in the county of Ingham, to issue bonds.

Mr. Woodman offered the following:

*Resolved*, That when the House adjourn to-day, it shall stand adjourned until 8 o'clock to-morrow morning.

Mr. Taylor moved to amend the resolution by striking out "8 o'clock," and inserting "6 o'clock," in lieu thereof.

The amendment was accepted.

The resolution was then adopted.

Mr. S. T. Parsons gave notice that on some future day he would ask leave to introduce

A bill relative to the discontinuing of State roads.

Mr. Hopkins offered the following:

*Resolved*, That the committee on supplies be instructed to cause a suitable shelf to be placed under the desk of each member of this House, who desires it, during the recess of the Legislature;

Which was adopted.

Mr. Greenfield, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Indian Fields, in the county of Tuscola, for the year 1866.

The bill was read a first and second time by its title, and,

On motion of Mr. Greenfield,

The rules were suspended, and the bill was put upon its immediate passage.

The bill, being House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Indian Fields, in the county of Tuscola, for the year 1866,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Hawley moved to strike out all after the enacting clause;

Which motion was withdrawn

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Robinson,
Alexander,	Hill,	Rockwood,
Ball,	Hopkins,	Sexton,
Barber,	Howard,	Shepherd,
Beall,	Huckins,	Shetterly,
Benedict,	Jenness,	Slayton,
Boies,	Jewell,	C. C. Smith,
A. S. Brown,	J. H. Jones,	L. Smith,
W. G. Brown,	R. Jones,	P. S. Spaulding,
Oanniff,	Kedzie,	Spence,
Camburn,	Locke,	Stannard,
Corey,	Lockwood,	Swift,
Crossman,	Mallet,	Taylor,
Deane,	Mason,	Tompkins,

Dusseau,	McKernan,	Upton,
Eck,	Mead,	Van Vleet,
Emerson,	Mickley,	Walker,
Fellows,	Miles,	Warner,
Funston,	Newcombe,	Wilcox,
Gallup,	Packard,	Wiley,
Glavin,	Parker,	Willard,
Greenfield,	F. Parsons,	Woodman,
Grier,	S. T. Parsons,	Wright,
Haven,	Parmelee,	Speaker,
Hawley,	Randall,	

74

## NAYS.

Mr. Murray,

1

Title agreed to.

On motion of Mr. Grier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Huckins gave notice that on some future day he would ask leave to introduce

A bill to authorize school district number six, in the township of Lexington, Sanilac county, to borrow money and issue bonds, for the purposes therein named.

Mr. Wilcox offered the following:

*Resolved*, That when this House adjourns to-morrow, it stand adjourned until 7 o'clock P. M., on the adjourned day.

Mr. Taylor moved to amend by striking out "7 o'clock," and inserting "6 o'clock," in lieu thereof;

Which motion did not prevail.

The resolution was then adopted.

Mr. Hopkins gave notice that on some future day he would ask leave to introduce

A bill to fix place for the holding of the next township meeting in the township of Grand Haven, in the county of Ottawa.

## THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 29, entitled

A bill to provide for the revision of the constitution of the State of Michigan,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Walker asked and obtained the unanimous consent of the House to amend the bill, by striking out section two.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS

Mr. Aitkin,	Mr. Hill,	Mr. Randall,
Alexander,	Hopkins,	Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Sexton,
Beall,	Jeness,	Shepherd,
Benedict,	Jewell,	Shetterly,
Boies,	J. H. Jones,	Slayton,
Bonine,	R. Jones,	C. C. Smith,
A. S. Brown,	Kedzie,	L. Smith,
W. G. Brown,	Locke,	P. S. Spaulding,
Canniff,	Lockwood,	Spence,
Camburn,	Lovell,	Stannard,
Corey,	Mallet,	Swift,
Crossman,	Mason,	Taylor,
Deane,	McKernan,	Tompkins,
Dusseau,	Mead,	Upton,
Eck,	Mickley,	Van Vleet,
Emerson,	Miles,	Walker,
Fellows,	Murray,	Warner,
Funston,	Newcombe,	Wilcox,
Gallup,	Packard,	Wiley,
Glavin,	Parker,	Willard,
Greenfield,	F. Parsons,	Woodman,
Grier,	S. T. Parsons,	Wright,
Haven,	Parmelee,	Speaker,
Healy,		

76

## NAYS.

Mr. Hawley,

1

Title agreed to.

On motion of Mr. Woodman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 3, entitled



Joint resolution to accept a grant of land made by Congress to aid in the construction of a harbor at Lac La Belle,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. S. T. Parsons,
Alexander,	Healy,	Parmelee,
Ball,	Hill,	Randall,
Barber,	Hopkins,	Robinson,
Beall,	Howard,	Rockwood,
Benedict,	Huckins,	Sexton,
Boies,	Jenners,	Shetterly,
Bonine,	Jewell,	Slayton,
A. S. Brown,	J. H. Jones,	C. C. Smith,
W. G. Brown,	R. Jones,	L. Smith,
Canniff,	Kedzie,	P. S. Spaulding,
Camburn,	Locke,	Spence,
Corey,	Lockwood,	Stannard,
Crossman,	Lovell,	Swift,
Deane,	Mallet,	Tompkins,
Dusseau,	Mason,	Upton,
Eck,	McKernan,	Van Vleet,
Emerson,	Mead,	Walker,
Fellows,	Mickley,	Warner,
Funston,	Miles,	Wilcox,
Gallup,	Murray,	Wiley,
Glavin,	Newcombe,	Willard,
Greenfield,	Packard,	Woodman,
Grier,	Parker,	Wright,
Haven,	F. Parsons,	Speaker, 75

## NAYS.

Mr. Shepherd, 1

Title and preamble agreed to.

On motion of Mr. Hill,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

Senate bill No. 10, entitled

A bill to legalize certain bonds issued by the townships of Kalamazoo and Portage, in the county of Kalamazoo, to aid in the construction of the Kalamazoo and Schoolcraft railroad,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Hawley moved to strike out all after the enacting clause;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Randall,
Alexander,	Hopkins,	Robinson,
Ball,	Howard,	Rockwood,
Barber,	Jeness,	Sexton,
Beall,	Jewell,	Shepherd,
Benedict,	J. H. Jones,	Shetterly,
Boies,	R. Jones,	Slayton,
Bonine,	Kedzie,	C. C. Smith,
A. S. Brown,	Locke,	L. Smith,
W. G. Brown,	Lockwood,	P. S. Spaulding,
Canniff,	Lovell,	Spence,
Camburn,	Mallet,	Stannard,
Corey,	Mason,	Swift,
Crossman,	McKernan,	Tompkins,
Dusseau,	Mead,	Upton,
Eck,	Mickley,	Van Vleet,
Emerson,	Miles,	Walker,
Fellows,	Murray,	Warner,
Gallup,	Newcombe,	Wilcox,
Glavin,	Packard,	Wiley,
Greenfield,	Parker,	Willard,
Grier,	F. Parsons,	Woodman,
Haven,	S. T. Parsons,	Wright,
Healy,	Parmelee,	Speaker, 72

#### NAYS.

Mr. Deane,	Mr. Hawley,	Mr. Huckins,	3
Title agreed to.			

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 52, entitled

A bill to amend section fourteen, of act No. 60, of the session laws of 1863.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Robinson,
Alexander,	Hill,	Rockwood,
Ball,	Hopkins,	Sexton,
Benedict,	Howard,	Shepherd,
Boies,	Huckins,	Shetterly,
Bonine,	Jenness,	Slayton,
A. S. Brown,	Jewell,	C. C. Smith,
W. G. Brown,	R Jones,	L. Smith,
Canniff,	Kedzie,	P. S. Span'lding,
Camburn,	Locke,	Spence,
Corey,	Lockwood,	Stannard,
Crossman,	Lovell,	Swift,
Deane,	Mallet,	Tompkins,
Dusseau,	Mason,	Upton,
Eck,	McKernan,	Van Vleet,
Emerson,	Mead,	Walker,
Emery,	Mickley,	Warner,
Fellows,	Murray,	Wilcox,
Funston,	Newcombe,	Wiley,
Gallup,	Packard,	Willard,
Glavin,	Parker,	Woodman,
Greenfield,	F. Parsons,	Wright,
Grier,	Parmelee,	Speaker,
Haven,	Randall,	

71

## NAYS.

Mr. J. H. Jones,

1

On motion of Mr. Swift,

Mr. Barber was excused from voting.

Mr. S. T. Parsons moved to amend the title by adding the following thereto: "being an act to enlarge the corporate limits, and to incorporate the village of Corunna, under a special charter;"

Which was agreed to.

The title, as amended, was then agreed to.

On motion of Mr. Swift,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 22, entitled

A bill to authorize fractional union school district number one, of the townships of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Parmelee,
Alexander,	Hill,	Randall,
Ball,	Hopkins,	Robinson,
Barber,	Howard,	Rockwood,
Beall,	Huckins,	Sexton,
Benedict,	Jenness,	Shepherd,
Boies,	Jewell,	Shetterly,
Bonine,	J. H. Jones,	Slayton,
A. S. Brown,	R. Jones,	C. C. Smith,
W. G. Brown,	Kedzie,	L. Smith,
Canniff,	Locke,	P. S. Spaulding,
Camburn,	Lockwood,	Stannard,
Corey,	Lovell,	Swift,
Crossman,	Mallet,	Tompkins,
Déane,	Macon,	Upton,
Dusseau,	McKernan,	Van Vleet,
Eck,	Mead,	Walker,
Emerson,	Mickley,	Warner,
Fellows,	Murray,	Wilcox,
Funston,	Newcombe,	Wiley,
Gallup,	Packard,	Willard,
Glavin,	Parker,	Woodman,
Greenfield,	F. Parsons,	Wright,
Grier,	S. T. Parsons,	Speaker,
Haven,		

73

## NAYS.

0

Title agreed to.

On motion of Mr. Jenness,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Newcombe,

The bill requiring the second and third reading of bills to be on different days, was suspended, and the other bills on the order of third reading were put upon their passage.

House bill No. 22, entitled

A bill to authorize fractional union school district No. 1, of the township of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. S. T. Parsons,
Alexander,	Hill,	Parmelee,
Ball,	Hopkins,	Randall,
Beall,	Howard,	Robinson,
Benedict,	Huckins,	Rockwood,
Boies,	Jenness,	Sexton,
Bonine,	Jewell,	Shepherd,
A. S. Brown,	J. H. Jones,	Shetterly,
W. G. Brown,	R. Jones,	Slayton,
Canniff,	Kedzie,	C. O. Smith,
Camburn,	Locke,	L. Smith,
Corey,	Lockwood,	P. S. Spaulding,
Crossman,	Lovell,	Stannard,
Deane,	Mallet,	Swift,
Dunlap,	Mason,	Tompkins,
Duseean,	McKernan,	Upton,
Eck,	Mead,	Van Vleet,
Emerson,	Mickley,	Walker,
Fellows,	Miles,	Wilcox,
Funston,	Murray,	Wiley,
Gallup,	Newcombe,	Willard,
Glavin,	Packard,	Woodman,
Greenfield,	Parker,	Wright,
Grier,	F. Parsons,	Speaker,
Haven,		

78

## NAYS.

0

Title agreed to.

On motion of Mr. Hill,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The committee on banks and incorporations, unanimous consent being given, submitted the following report:

The committee on banks and incorporations, to whom was referred

A bill to revise the charter of the village of Hudson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hill

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

SPECIAL ORDER OF THE DAY,

Being the consideration of the following resolutions:

*Whereas*, The people have voted to hold a convention to revise the State Constitution, and it is the duty of the Legislature to provide for carrying out the will of the people; therefore,

*Be it resolved*, That it is the sense of this House, that, in the said convention the whole people should be equally represented, and that not a mere majority of the people should be exclusively represented.

*Resolved*, That a majority of the electors should have a majority of the representatives in said convention, and that a minority of the electors should have a minority of the representatives. Man for man, the minority should be as fully represented as the majority. Unless they are, there is not equal representation, but a representation of inequality and privilege. There is a part whose fair and equal share of influence in the convention is withheld from them, contrary to all just representation, and, above all, contrary to the principles of Republican institutions, which profess equality for their very root and foundation.

*Resolved*, That the inevitable consequence of the manner in which votes are now taken, is the disfranchisement of minori-

ties, and the numerical majority alone possess, practically, any voice in the State.

*Resolved*, That the virtual blotting out of the minority is no necessary or natural consequence of free institutions, but is diametrically opposed to the first principles of free government—representation in proportion to numbers. It is an essential part of republican and democratic institutions, that minorities should be adequately represented. No real representation—nothing but a false show of representation—is possible without it.

*Resolved*, That real equality of representation is not obtained unless any set of electors amounting to the average number of a constituency, wherever, in the State, they may happen to reside, have the power of combining with one another to return a representative,

On motion of Mr. Crossman,

The resolutions were laid on the table.

On motion of Mr. Fellows,

The House adjourned until to-morrow morning, at 6 o'clock.

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*Lansing, Thursday, January 24, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Roll called: not a quorum present.

On motion of Mr. Dusseau,

The House adjourned, and, pursuant to a resolution previously adopted, the Speaker declared the House adjourned until Wednesday, January 30th, at 7 o'clock P. M.

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*Lansing, Wednesday, January 30, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Roll called, and the following members answered to their names:

Messrs. Barber, Beall, Brownell, W. G. Brown, Canniff, Chauvin, Corey, Crossman, Deane, Eck, Fenton, Gallup, Glavin, Greenfield, Grier, Hawley, Healy, Hill, Hopkins, Huckins, Jewell, Kedzie, Kingsbury, Locke, Lockwood, Lovell, Mallet, McCutcheon, McKernan, Mickley, Miles, Newcombe, Parmelee, Pearl, Rockwood, Schars, Shetterly, Slayton, R. B. Smith, Stannard, Stevens, Upton, Van Vleet, Walker, White, Wilcox, Wright.—47.

On motion of Mr. White,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Thursday, January 31, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

Absent at roll, call without leave, Messrs. Aitkin, Ball, Benedict, A. S. Brown, C. R. Brown, Camburn, Emery, Fellows, Funston, Howard, R. Jones, Mead, Murray, Newell, L. D. Osborn, W. H. Osborn, Parker, Packard, S. T. Parsons, Sexton, Shepherd, P. S. Spaulding, Spence, Storrs, Swezey, Swift, Taylor, Warner and Wiley.

Mr. Rockwood asked and obtained leave of absence for Mr. Aitkin, until to-morrow.

Mr. Hill asked and obtained leave of absence for Mr. Ball, until to-morrow.

Mr. Dusseau asked and obtained leave of absence for Mr. Benedict, until to-morrow.

Mr. Glavin asked and obtained leave of absence for Mr. O. R. Brown, until to-morrow morning.

Mr. Jewell asked and obtained leave of absence for Mr. Camburn, until to-morrow.

Mr. Brownell asked and obtained leave of absence for Mr. Emery, on account of sickness.



Mr. Lovell asked and obtained leave of absence for Mr. Fellows, until to-morrow morning.

Mr. Miles asked and obtained leave of absence for Mr. Funston, until to-morrow.

Mr. Eck asked and obtained leave of absence for Mr. Howard, until to-morrow.

Mr. Schars asked and obtained leave of absence for Mr. Mead.

Mr. Jewell asked and obtained leave of absence for Mr. Murray, until to-morrow.

Mr. Hawley asked and obtained leave of absence for Mr. Newell, on account of sickness.

Mr. Mickley asked and obtained leave of absence for Mr. W. H. Osborn, for an indefinite time, on account of sickness.

Mr. Wells asked and obtained leave of absence for Mr. L. D. Osborn, until to-morrow.

Mr. Corey asked and obtained leave of absence for Mr. Parker, until to-morrow.

Mr. Locke asked and obtained leave of absence for Mr. S. T. Parsons, for an indefinite time.

Mr. Grier asked and obtained leave of absence for Mr. Sexton.

Mr. Tompkins asked and obtained leave of absence for Mr. P. S. Spaulding, until to-morrow morning.

Mr. Walker asked and obtained leave of absence for Mr. Spence, on account of sickness.

Mr. Walker asked and obtained leave of absence for Mr. Storrs.

Mr. Walker asked and obtained leave of absence for Mr. Sweezey.

Mr. Newcombe asked and obtained leave of absence for Mr. Taylor.

#### PRESENTATION OF PETITIONS.

By Mr. Stannard: petition of Richard Dye, A. W. Kimball and 54 others, tax-payers of Ionia, praying that the charter of Ionia be not amended, except in regard to boundaries.

Referred to the committee on banks and incorporations.

By Mr. Stannard: petition of C. A. Preston and 194 others, taxable inhabitants of the village of Ionia, praying for an act to amend the charter of the village of Ionia.

Referred to the committee on banks and incorporations.

By Mr. Hawley: petition of E. A. Lodge, Allen Sheldon, Colin Campbell, Wm. Phelps, Henry Barns, Waldo M. Johnson, R. R. Elliot, M. W. Field and 33 others, citizens of Detroit, in regard to granting the University an appropriation.

Mr. Jenness moved that the petition be ordered printed in the journal;

Which was not agreed to.

On motion of Mr. Grier,

The petition was ordered printed and referred to the committee on education.

Mr. Gallup moved that 500 copies of the petition be ordered printed for the use of the members of the House;

Which was not agreed to.

By Mr. Kingsbury: petition of Ransom E. Wood, E. B. Allen and 80 others, asking a grant of 10,000 acres of swamp land, to aid the improvement of Flat river, in Kent county.

Referred to the committee on public lands.

By Mr. Kingsbury: petition of Myron H. Burd, asking to be paid \$375, the amount of improvement on school land in T. 7 N., R. 12 W.

Referred to the committee on public lands.

By Mr. L. Smith: petition of N. Church and 80 others, asking for an appropriation of swamp land, to aid in the construction of a State road from Stanton, in Montcalm county, to St. Charles, in Saginaw county;

Also, petition of J. A. Guthrie and 67 others, for the same purpose.

Referred to the committee on public lands.

By Mr. Deane: petition of C. C. Fuller and 28 others, citizens of the townships of Big Rapids and Green, in the county of Mecosta, praying an amendment of act No. 50, of session laws

of 1865, entitled "an act to lay out and establish a State road in the counties of Mecosta, Osceola and Missaukee, and to appropriate certain taxes thereon."

Referred to the committee on banks and incorporations.

By Mr. Grier: petition of Levi Willard and 24 others, residents of Bay county, praying for the organizing of a new township in said county, to be composed of towns 15, 16, 17, 18, 19 and 20 north, of range 3 east.

Referred to the committee on towns and counties

By Mr. Willard: memorial of Edward Cox, S. S. French, W. M. Campbell, Z. T. Slater, W. G. Sanders and James A Deane, physicians of Battle Creek, asking the passage of a law securing the registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Pearl: remonstrance of E. Livingston Davis and 15 others, citizens of St. Johns, against the extension of the present limits of the village of St. Johns.

Referred to the committee on banks and incorporations.

By Mr. Pearl: petition of O. L. Spaulding and 206 others, citizens of St. Johns, asking the passage of a bill incorporating the village of St. Johns.

Referred to the committee on banks and incorporations.

By Mr. Jewell: petition of Nicholas R. Hill, David B. Stout and 22 others, citizens of Nelson township, Kent county, for an extension of the time for the completion of the Grand Rapids and Indiana railroad.

On motion of Mr. Hawley,

The petition was laid on the table.

By Mr. Jewell: petition of Jacob Long, Thomas Youngblood, Smith Lapham and 88 others, citizens of Algonac, Kent county, asking the Legislature to fix a certain locality, in said township, for holding elections.

Referred to the committee on towns and counties.

By Mr. Eck: petition of J. H. Gardner and 40 others, citizens of the township of Lockport, St. Joseph county, praying the Legislature to legalize the action of the electors of the town.

ship of Lockport, in voting aid to the Grand Trunk railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Eck: petition of John W. Talbot and 110 others, citizens of the township of Nottawa, St. Joseph county, praying the Legislature to legalize the action of the electors of said township in voting aid to the Grand Trunk railroad, of Michigan.

Referred to the committee on internal improvements.

By Mr. Crossman: petition of the president and common council of the village of Mason, asking an amendment to their village charter

Referred to the committee on banks and incorporations.

By Mr. Lockwood: petition of J. R. Tuttle, A. Hopper, W. H. Potter and 80 others, citizens of Alpena, for a wagon road from Alpena to Grand Traverse Bay, and an appropriation of State swamp lands to build the same.

Referred to the committee on public lands.

By Mr. Haven: petition of Peter Mitchell and 21 others, citizens, of Clarendon, Calhoun county, asking the Legislature to legalize the vote of said township, in voting aid to the Grand Trunk railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Haven: petition of Edwin R. Smith and 22 others, citizens of the township of Homer, Calhoun county, asking to have the vote of said township legalized in voting aid to the Grand Trunk Railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Greenfield: petition of Joseph Colman, B. W. Huston, Jr., and 34 others, citizens of the village of Vassar, asking for county superintendents of schools instead of township inspectors.

Referred to the committee on education.

By Mr. McKernan: petition of W. A. Northrup and 21 others, citizens of Houghton, asking that the special tax on iron and copper be remitted for a period of five years.

Referred to the committee on ways and means.

By Mr. Judd: petition of Francis Layden, crier of the supreme court in Detroit, for an increase of salary.

Referred to the committee on the judiciary.

By Mr. Walker: memorial of the Detroit and St. Clair plank road relative to a change of tolls.

Referred to the committee on banks and incorporations.

By Mr. Fenton: petition of John S. Dixon and 25 others, citizens of Emmet county, praying for an appropriation of land to construct a road from Midland City to Grand Traverse Bay.

Referred to the committee on public lands.

By Mr. L. Smith: petition of A. Pickett and 82 others, asking for an appropriation of State swamp lands to aid in the construction of a State road from Stanton, in Montcalm county, to St. Charles, in Saginaw county.

Referred to the committee on public lands.

By Mr. Thompkins: petition of E. S. Tracey, L. O. Smith, A. J. Ives and 46 others, residents of Eaton county, to amend act No. 23, of session laws of 1866, entitled an act authorizing the payment of bounties to volunteers in the service of the United States.

Referred to the committee on bounties.

By Mr. Barber: remonstrance of George A. Coe and 435 others, citizens of Branch county, against the passage of any law restricting the catching of fish in the waters of said county.

Referred to the committee on State affairs.

By Mr. Rockwood: petition of D. S. Salisbury, A. Y. Clough, O. Cooley and 152 others, asking the laying out of a State road from Pine Run station, in Genesee county, to Chesaning, Saginaw county, and for an appropriation of swamp lands to aid in its construction.

Referred to the committee on public lands.

By Mr. W. G. Brown: petition of the officers of the village of Parma, in the county of Jackson, asking the Legislature to legalize the tax-roll of said village for the year 1864; and also

to pass an act to enable them to grade the streets and construct sidewalks in said village, and to levy a tax upon the property benefited thereby for the payment thereof.

Referred to the committee on local taxation.

By Mr. Huckins: petition of John Ryan, John Farr, John Hays, Samuel Ball and 54 others, citizens of Sanilac county, for an appropriation of swamp land to construct two ditches or drains in the township of Elk.

Referred to the committee on public lands.

By Mr. Huckins: petition of Dougald McIntyre, Duncan McDougald, Duncan McLean and 40 others, for a State road from Joiner's mill, in the township of Austin, to the village of Cato, in the township of Delaware, Sanilac county, asking for an appropriation of swamp land for the construction of the same.

Referred to the committee on roads and bridges.

By Mr. Wells: petition of E. Pardee and 150 others, citizens of the State of Michigan, praying for a law to prohibit hunting deer with dogs.

Referred to the committee on State affairs.

By Mr. Van Vleet: petition of Alfred Halleck, Wm. H. Turner and 120 others, citizens of the county of Genesee, asking the Legislature to repeal act No. 147, of session laws of 1865, relative to fare on short railroads.

Referred to the committee on internal improvements.

By Mr. Van Vleet: petition of George H. Ryne and 20 others, freeholders of the county of Genesee, asking the Legislature to pass an act authorizing the overseers of highways and individuals, to lay out the highway labor on the line of the Flint and Fentonville plank road, upon said road.

Referred to the committee on roads and bridges.

By the Speaker: petition of B. A. Lombard, G. W. Button, Geo. Vowels, Walter Bowers, N. G. Pinney and 41 others, residents and tax-payers of Union school district No. 6, of Lyon, Oakland county, asking authority to borrow \$4,000, for the purpose of building a school-house.

Referred to the committee on education.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, January 23, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to confirm the title of the Lansing, Jackson and Saginaw Railroad company, to the property, rights and franchises acquired by it of the Amboy, Lansing and Traverse Bay Railroad company;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, Jan. 23, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Indian Fields, in the county of Tuscola, for the year 1866;

2. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Marshall, in Calhoun county;

3. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the city of Monroe;

4. House manuscript bill, entitled

A bill to legalize the tax roll of the township of Spaulding, in the county of Saginaw, for the year 1866;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Jan. 23, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 2, entitled

A bill to amend an act, entitled an act to provide for the draining of swamps, marshes, and other low lands, approved March 15th, 1861, by adding thereto a new section;

2. House bill No. 22, entitled

A bill to authorize fractional school district No. 1, of the townships of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds;

3. House bill No. 54, entitled

A bill to legalize the action of the annual and adjourned school meetings of fractional school districts No. 4, and No. 1, of the townships of Pine River and Bethany, in Gratiot county, for the year 1866;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the



same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,

Lansing, January 23, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to legalize and confirm the action of school district No. 9, of the township of Grass Lake, in borrowing money and providing for the issue of bonds, for the purpose of enlarging its school building;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on local taxation.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Kedzie gave notice that on some future day he would ask leave to introduce

A bill to secure the completion of the Ingham and Clinton State road.

Mr. Jeanness gave notice that on some future day he would ask leave to introduce

A bill to regulate the manner of electing trustees in school

district No. 4, in the township and city of Ypsilanti, and to regulate the qualifications of electors therefor.

Mr. Pearl gave notice that on some future day he would ask leave to introduce

A bill for the incorporation of the village of St. Johns, in the county of Olinton.

Mr. Wells gave notice that on some future day he would ask leave to introduce

A bill to prevent frauds and impositions upon free school districts.

Mr. R. B. Smith gave notice that on some future day he would ask leave to introduce

A bill to prevent the diverting of freights by railroads.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to amend section seven of an act entitled "an act to incorporate the village of Mason," approved March 9th, 1865.

Mr. Stevens gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the annual and adjourned annual school meetings of school district number two, of the township of Summerfield, Monroe county, for the year 1866.

Mr. Kingsbury gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Grand Rapids.

Mr. Haven gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Albion.

Mr. Newcombe offered the following:

*Resolved*, That the Auditor General be requested to communicate to this House, for its information, the several annual reports for the years 1865 and 1866, made to himself, as required by law, by the corporation known as the Grand Rapids and Indiana railroad company;

Which was adopted.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 103, of the compiled laws of 1857, relating to the sale of real estate on execution, by adding thereto a new section;

Also,

A bill to amend section 3887 of the compiled laws, relating to appeal bonds.

Mr. Van Vleet gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the electors of the city of Flint, in the county of Genesee, in voting aid to the Port Huron and Lake Michigan Railroad company.

Mr. Rockwood gave notice that on some future day he would ask leave to introduce

A bill to change the name of the village of Varna, in Genesee county, to Olio;

Also,

A bill to authorize the common council of the city of Flint to control and vacate burial grounds within the city limits.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 147, of session laws of 1861, it being sections 2014 and 2017 of compiled laws, with reference to religious societies, so as to authorize the recording of articles of association, and to give trustees, wardens and vestrymen authority to execute security upon church property in certain cases;

Also,

A bill to amend an act entitled an act to amend section twenty-six, chapter one hundred and one, of the revised statutes of 1846, being section 3064 of compiled laws, relative to the sale of real estate of deceased persons, approved March 15, 1861.

Mr. Grier gave notice that on some future day he would ask leave to introduce

A bill to repeal section four thousand four hundred and forty-three of the compiled laws, being section five, of chapter one hundred and thirty-one, of said laws.

Mr. Kedzie, previous notice having been given, and leave being granted, introduced

A bill authorizing graded school district No. 1, of the township of Vevay, in the county of Ingham, to issue bonds.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Kedzie, previous notice having been given, and leave being granted, introduced

A bill to repeal an act entitled an act to amend chapter 150, of the revised statutes of 1846, being chapter 175 of the compiled laws, entitled of the fees of certain civil officers in civil cases, approved March 20th, 1863.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Glavin, previous notice having been given, and leave being granted, introduced

A bill to authorize the several townships of this State to raise money by tax, or to borrow money to build or repair highways and bridges.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Gallup, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Sebewaing, in the county of Huron.

The bill was read a first and second time by its title, and,

On motion of Mr. Gallup,

Was placed on the order of third reading.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to authorize the payment of traveling expenses of justices of the supreme court, and the circuit judges of this State.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill relative to executing, acknowledging and recording deeds, mortgages, and other instruments, and to prevent frauds in land titles.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Deane, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Pentwater.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Deane, unanimous consent being given, introduced

A bill to amend sections 1 and 2, of an act entitled "an act to lay out and establish a State road in the counties of Mecosta, Osceola and Missaukie, and to appropriate certain non-resident highway taxes thereon," approved February 15th, 1865, and to add a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Deane, unanimous consent being given, introduced

Joint resolution authorizing the Governor to relinquish the right of the State to certain lands, to the United States.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. Pearl, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Dallas, in the county of Clinton, for the year 1866.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

Joint resolution asking Congress to make money appropriations for the survey of the harbor of Alpena, at the mouth of Thunder Bay river, and for building a light-house, and making other improvements thereat.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Grier, unanimous consent being given, introduced

A bill to amend act No. 301, of the session laws of 1865, being an act entitled "an act to regulate the tolls on plank roads in Bay, Clinton, Gratiot, and Saginaw counties."

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hawley, previous notice having been given, and leave being granted, introduced

A bill to amend section 3, of act No. 87, of the laws of 1846, approved April 28, 1846, entitled "an act to amend an act entitled an act relative to free schools in the city of Detroit," approved February 17, 1842.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Hawley, previous notice having been given, and leave being granted, introduced

A bill to amend section 13, of chapter 175, of the compiled law, relative to fees of constables in civil cases.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to provide for the election of overseers of highways, by ballot, in the Upper Peninsula of Michigan.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Fenton, previous notice having been given, and leave being granted, introduced

A bill to regulate the license of hawkers and peddlers, in the Upper Peninsula, and to amend an act to amend sections 16, 18, 21 and 22, of chapter 18, of the compiled laws, relative thereto.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. R. B. Smith, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes, in the townships of Portland and Orange, in the county of Ionia.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, from Alpena, in the county of Alpena, to Grand Traverse Bay, in the county of Grand Traverse.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Miles, unanimous consent being given, introduced

A bill to prevent the destruction of muskrats and muskrat houses in the townships of Clay, Cottrellville and Ira, in the county of St. Clair.

The bill was read a first and second time by its title, and referred to the committee on State affairs

#### GENERAL ORDER.

On motion of Mr. Hawley,

The House went into committee of the whole, on the general order,

Mr. Jenness in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

1 House joint resolution No. 5, entitled

Joint resolution authorizing the Commissioner of the State Land Office to issue a certificate of sale of certain land to Charles McCormick, of Ypsilanti, Michigan;

2. House joint resolution No. 4, entitled

Joint resolution authorizing the Governor to execute the certificate of non-incumbrance and surrender of the lands on

the original line of the Marquette and Wisconsin State line railroad;

3. House joint resolution No. 7, entitled

Joint resolution asking the government of the United States for an appropriation in money, for the construction of a harbor at the mouth of the Ontonagon river;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

1. House bill No. 49, entitled

A bill to vest title in the United States of America, in trust, of lands granted to the State of Michigan for railroad purposes, and for other purposes,

And report the same back to the House, with the recommendation that it be referred to the committee on the judiciary.

The committee of the whole have also had under consideration the following entitled bill;

2. House bill No. 58, entitled

A bill to incorporate the Central Michigan Agricultural Society;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bills:

3. House bill No. 46, entitled

A bill to change the name of the town of Ft. Gratiot, St. Clair county, to Keosau;

4. House bill No. 55, entitled

A bill to amend section 4, of title 4, of an act to revise the charter of the city of Lansing, approved March 17, 1865;

5. House bill No. 51, entitled

A bill to enlarge the corporate limits, and establish the boundary of the village of Galesburg;



6. House bill No. 57, entitled

A bill to amend section one, of act-numbered two hundred and eighty-eight, of the laws of 1865, entitled an act to authorize the formation of mechanics' and laboring men's coöperative associations, approved March 20, 1865, and also to amend the title of said act;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

JOHN S. JENNESS, *Chairman.*

Report accepted and committee discharged.

The several joint resolutions were placed on the order of third reading.

On motion of Mr. White,

The recommendation of the committee on the first named bill was concurred in, and the bill was referred to the committee on the judiciary.

On motion of Mr. Kedzie,

The action of the committee in striking out all after the enacting clause of the second named bill was concurred in, and the enacting clause was laid on the table.

The third, fourth, fifth and sixth named bills were placed on the order of third reading.

On motion of Mr. Holt,

The House took a recess until 2 o'clock, this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

GENERAL ORDER.

On motion of Walker,

The House went into committee of the whole, on the general order,

Mr. Van Vleet in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 50, entitled

A bill to legalize the action of school district No. 5, in the township of Lowell, in Kent county, in raising money to build a school house therein;

2. House bill No 59, entitled

A bill to legalize the action of the township of Lowell, Kent county, in raising money to build a bridge across Grand River, in said township;

3. House bill No. 56, entitled

A bill to authorize school district No. 2, of the township of Superior, Washtenaw county, to issue bonds for the purposes therein mentioned;

4. House bill No. 61, entitled

A bill to authorize the board of education of the city of Lansing to borrow money and issue bonds for the construction of a high school building;

5. House bill No. 63, entitled

A bill to repeal sections 2032 and 2033, of the compiled laws, in regard to charitable bequests and devises;

6. Senate bill No. 8, entitled

A bill to prevent the adulteration of milk, and to prevent the traffic in impure and unwholesome milk;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

7. House bill No. 53, entitled

A bill to amend section 5654, of the compiled laws, relative to fees of jurors;

8. House bill No. 70, entitled

A bill to provide for the incorporation of associations, for the

purpose of constructing, owning and controlling warehouses for the storage of grain and other commodities;

9. House bill No. 60, entitled

A bill to amend sections forty-nine hundred and eighty-five, (4985,) and forty-nine hundred and ninety-four, (4994,) of the compiled laws, being sections twelve (12) and twenty-one, (21,) of chapter one hundred and fifty, (150,) of said laws, and to add certain new sections to said chapter;

10. House bill No. 65, entitled

A bill to amend act No. 38, of the session laws of 1865, entitled an act to amend section 579 of the compiled laws, requiring overseers of highways to give bonds;

Have made sundry amendments thereto, and have directed their chairmañ to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 8, entitled

Joint resolution asking of Congress a grant of lands to the State to aid in deepening the channel of navigation between Lake Superior and Eagle Harbor, in the county of Keweenaw;

Have made no amendment thereto, and have directed their chairman to report the same back to the House and recommend its passage.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

The first, second, third, fourth, fifth and sixth named bills were placed on the order of third reading.

On motion of Mr. White,

The amendments made to the seventh, eighth, ninth and tenth named bills, were concurred in, *in gross*, and the bills were placed on the order of third reading.

The joint resolution was placed on the order of third reading.

On motion of Mr. Jenness,

The House adjourned until to-morrow morning, at 10 o'clock.

*Lansing, Friday, February 1, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Banwell.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Benedict, Camburn, Funston, Howard, R. Jones, Murray, L. D. Osborn, Packard, Parker, Robinson, Shepherd.

Mr. Jewell asked and obtained leave of absence for Mr. Camburn, until Tuesday.

Mr. Miles asked and obtained leave of absence for Mr. Funston, until to-morrow.

Mr. Hill asked and obtained leave of absence for Mr. R. Jones, until to-morrow.

Mr. Jewell asked and obtained leave of absence for Mr. Murray, on account of sickness.

Mr. Wells asked and obtained leave of absence for Mr. L. D. Osborn, until Tuesday.

Mr. Corey asked and obtained leave of absence for Mr. Parker, on account of sickness.

#### PRESENTATION OF PETITIONS.

By Mr. Mickley: petition of J. Bliss, D. Carpenter and 250 others, citizens of the township of Blissfield, asking for a division of the township of Blissfield, and the organization of the township of Deerfield;

Also, petition of J. Bliss, W. Sheldon, D. Carpenter and 250 others, for the same purpose.

Referred to the committee on towns and counties.

By Mr. Mead: petition of Wallace Westbrook and 47 others, citizens of the county of Macomb, for the passage of a law to prevent diseased, distempered and foot-rot sheep from running at large in the highways.

Referred to the committee on agriculture.

By Mr. Schar: petition of Silas Wood, Charles C. Lamb, J. R. Crandall and 58 others, citizens of the county of Macomb, praying the Legislature to adopt, instead of the present system

of township school inspectors, a system of county superintendents.

Referred to the committee on education.

By Mr. Tompkins: petition of J. Corbin, O. V. Craason, S. J. Vaughan and 61 others, asking the Legislature to adopt, instead of the present system of township school inspectors, the system of county superintendents.

Referred to the committee on education.

By Mr. Randall: remonstrance of J. D. Woolley, O. A. Hyde, W. S. Green, Frank Beach, H. A. Noyes, J. A. Miner and 85 others, citizens of the city of Marshall, Calhoun county, against amending an act entitled an act to incorporate the city of Marshall, approved February 14th, 1859, relating to the jurisdiction of justices of the peace.

Referred to the committee on banks and incorporations.

By Mr. Brownell: petition of S. P. Thomas, M. B. Smith and C. P. Thomas, and 40 others, citizens of Lapeer county, asking for the equalization of State bounties.

Referred to the committee on bounties.

By Mr. Storrs: remonstrance of Edwin Thayer and 68 others, of Grand Haven, against including any portion of the township of Spring Lake, Ottawa county, in the limits of the city of Grand Haven.

Referred to the committee on banks and incorporations.

By Mr. Storrs: remonstrance of J. G. Van Hus, supervisor of the township of Zeeland, in Ottawa county, in behalf of said township, against granting a city charter to Grand Haven;

Also: remonstrance of John Johnson and 70 others, citizens of the township of Polkton, Ottawa county, for the same purpose;

Also, remonstrance of George Luther and 135 others, citizens of Grand Haven, for the same purpose;

Also, remonstrance of George Eastman and 80 others, citizens of the village of Eastmanville and vicinity, in Ottawa county, for the same purpose.

Referred to the committee on banks and incorporations.

By Mr. Helt: petition of Samuel B. Peck and 122 others, citizens of the village of Muskegon, praying for the incorporation of the city of Muskegon.

Referred to the committee on banks and incorporations.

By Mr. Eck: petition of B. Blossom and 50 others, citizens of the township of Sherwood, Branch county, praying the Legislature to legalize the action of the electors of the township of Sherwood, in voting aid to the Grand Trunk railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Eck: petition of Ariel C. Chaffee and 50 others, citizens of the township of Colon, St. Joseph county, praying the Legislature to legalize the action of the electors of the township of Colon, in voting aid to the Grand Trunk railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Shetterly: petition of Wm. Platt and 21 others, for the passage of a law authorizing the appointment of county superintendents of schools, instead of the present system of township inspectors;

Also, petition of C. W. Whitney and 16 others, for the same purpose.

Referred to the committee on education.

By Mr. Hopkins: petition of H. C. Akely and 27 others, citizens of Grand Haven and other parts of Ottawa county, asking the passage of a law incorporating the city of Grand Haven.

Referred to the committee on banks and incorporations.

By Mr. Holt: petition of John Ruddiman and 14 others, citizens of the township of Laketon, Muskegon county, praying for the organization of the township of Howard, Muskegon county.

Referred to the committee on towns and counties.

By Mr. Shetterly: petition of D. M. Price, William Summers and 97 others, citizens of Macomb county, praying for the

passage of a law to prohibit fishing in Clinton river with seines and nets, other than dip nets.

Referred to the committee on fisheries.

By Mr. Fenton: petition of Morris J. Stockton and 27 others, citizens of Emmet county, praying for the construction of a State road from the mouth of Thunder Bay river to the mouth of Pine river, in Emmet county.

Referred to the committee on public lands.

By Mr. Fenton: petition of John S. Dixon and 70 others, residents of towns 32, 33 and 34 north, lying between range 3 west and Lake Michigan, praying that said territory may be organized into a new county.

Referred to the committee on towns and counties.

By Mr. Woodward: petition of the trustees of (graded) fractional school district No. 7, in the townships of Brooklyn and Columbia, Jackson county, asking authority to borrow money to rebuild a school-house in said district.

Referred to the committee on local taxation.

By Mr. Woodward: petition of John N. Sharp and 63 others, citizens and tax-payers of the township of Brooklyn, in the county of Jackson, to authorize said township to raise money to pay Walker B. Sherman, George B. Cook and Ira Wildman for money advanced to said township.

Referred to the committee on bounties.

By Mr. Wells: petition of Justus Gage and 24 others, praying for a law to prevent frauds and impositions upon school districts.

Referred to the committee on education.

By Mr. Walker: remonstrance of Sidney Dwelle and 250 others, citizens and voters of Grass Lake, Jackson county, against taxing that town for aid to the Grand Trunk railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Gallup: petition of Rowland S. Squires and 16 others, asking that certain territory may be attached to the townships of Fair Haven and Sebewaing, in Huron county.

Referred to the committee on towns and counties.

By Mr. Haven: remonstrance of John Kesser, Jacob Cool and 40 others, citizens of the township of Homer, Calhoun county, against legalizing the action of the township of Homer in voting aid to the Grand Trunk railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Parmelee: petition of L. A. Mallory, for a deed of the S E. qr. of S. W. qr. of section 16, T. 7 S., R. 4 W., primary school land.

Referred to the committee on the judiciary.

By Mr. Van Vleet: petition of Edward S. Dart and 41 others, tax-payers of the county of Genesee, asking the Legislature to pass a law to equalize State bounties, so that the veteran soldiers who enlisted in the years 1861 and 1862 receive a State bounty.

Referred to the committee on bounties.

By Mr. Randall: petition of Earl Smith and 24 others, of the township of Burlington, Calhoun county, praying the Legislature to repeal section one, of act 205, of session laws of 1865, relating to tax on dogs.

Referred to the committee on State affairs.

By Mr. L. Smith: petition of W. A. Comstock and many others, asking for an appropriation to aid in constructing a road from Stanton, in Montcalm county, to St. Charles, in Saginaw county;

Also, petition of W. E. Winton and 48 others, for the same purpose.

Referred to the committee on public lands.

By Mr. Haven: petition of S. G. Patterson, G. W. Dyer, Wm. Haskins and 130 others, praying that no further taxation be imposed on the State for the support of the State Agricultural College.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on local taxation:

The committee on local taxation, to whom was referred



A bill authorizing graded school district number one, of the township of Vevay, in the county of Ingham, to issue bonds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate manuscript bill, entitled

A bill to legalize and confirm the action of school district number nine, of the township of Grass Lake, in borrowing money and providing for the issue of bonds therefor, for the purpose of enlarging its school building,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the Saginaw and Genesee plank road company, to discontinue the whole or any portion of their road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to tax banking associations, organized under the laws of the United States,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to extend the time for the collection of taxes in the township of Dallas, in the county of Clinton, for the year eighteen hundred and sixty-six,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to extend the time for the collection of taxes in the townships of Portland and Orange, in the county of Ionia,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stannard,

The bill was placed on the order of third reading.

By the committee on education:

The committee on education, to whom was referred the petition of B. A. Lumbard, G. W. Button, Geo. Vowels, Walter Bowers, N. G. Pinney and 41 others, residents and tax-payers of union school district No. 6, of Lyon, Oakland county, asking authority to borrow \$4,000, for the purpose of building a school-house,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to authorize school district No. 6, of the township of Lyon, in the county of Oakland, to issue bonds for the purpose therein mentioned,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on education:

The committee on education, to whom was referred

A bill to amend section 3, of act No. 87, of the laws of 1846, approved April 28, 1846, entitled an act to amend an act enti-

bled an act relative to free schools in the city of Detroit, approved February 17, 1842,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

A bill to correct and legalize the assessment roll of the township of Ravenna, Muskegon county, for the year 1866, and extend the time for the collection of the same;

Also,

A bill to extend the time for the collection of taxes in the townships of Flint, Genesee, Fenton and Gaines, and the city of Flint, in the county of Genesee, for the year 1866;

Also,

A bill to authorize fractional school district number five, of the townships of Brighton and Genoa, in the county of Livingston, to borrow money to build a school-house;

Also,

A bill to enlarge the powers and duties of sheriffs, under and deputy sheriffs;

Also,

A bill to extend the time for the collection of taxes in the city of Bay City, for the year 1866;

Also,

A bill to extend the time for the collection of taxes in the city of Marshall, in the county of Calhoun, for the year 1866;

Also,

A bill to extend the time for the collection of taxes in the city of Monroe;

Also,

A bill to extend the time for the collection of taxes in the township of Bangor, in the county of Bay, for the year 1866;

Also,

A bill to extend the time for the collection of taxes, for the year 1866, in the township of Chesaning, in the county of Saginaw;

Also,

A bill to extend the time for the collection of taxes in the township of Indian Fields, in the county of Tuscola, for the year 1866;

Also,

A bill to legalize the tax roll of the township of Spalding, in the county of Saginaw, for the year 1866;

Also,

A bill to replat a portion of St. Louis, Gratiot county, and to authorize the recording of the same.

DANIEL UPTON, *Chairman.*

Report accepted.

#### COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

AUDITOR GENERAL'S OFFICE, }  
Lansing, Feb. 1, 1867. }

*To the Hon. Speaker of the House of Representatives:*

SIR—In compliance with a resolution adopted by the House of Representatives yesterday, requesting the Auditor General to communicate to that body the several annual reports made to him, as required by law, by the Grand Rapids and Indiana Railroad Company, for the years 1865 and 1866, I herewith transmit a copy of the report of said company for the year ending December 31st, 1865.

A report for the year ending December 31st, 1866, has not yet been received at this office.

Very respectfully,

WILLIAM HUMPHREY,  
*Auditor General.*

The following is the report:

OFFICE GRAND RAPIDS AND INDIANA R. R. Co., }  
Kalamazoo, Michigan, Jan. 1, 1866. }

*To the Auditor General of the State of Michigan:*

SIR—The amount of the capital stock of the Grand Rapids and Indiana Railroad Company is.....\$2,800,000 00  
Amount of capital stock paid in,..... 292,872 49  
Amount expended for the purchase of lands for the construction of the road, (right of way),.. 10,234 26  
In addition to the above, lands have been donated to the company for the right of way to the value of..... 89,765 74  
Amount expended for buildings,..... None.  
" " " engines,..... None.  
" " " cars,..... None.

AMOUNT AND NATURE OF INDEBTEDNESS:

Amount due on construction,.....\$56,000 00  
" " " borrowed money,..... 63,050 00  
" " " incidental service, including offices, salaries, directors' fees, agents' expenses, attorneys' fees, traveling expenses, expenditures on examination of lands granted, and all other incidental accounts,..... 56,761 80  
Amount due on interest account,..... 51,536 87  
Total,.....\$227,348 67

AMOUNT DUE THE CORPORATION.

Unpaid subscriptions to the capital stock,.....\$736,537 18  
Amount received from transportation of passengers, property, mails, and from all other sources,.... None.  
Amount of freights and other articles,..... None.  
" paid for repairs, engines, cars, buildings and services,..... None.  
Amount and number of dividends, &c.,..... None.

Number of engine-houses and shops, of engines and cars, &c.,.....	None.
Number of miles run, &c.,.....	None.
“ “ men employed in running department,	None.
“ “ persons injured, &c.,.....	None.
“ “ accidents, &c.,.....	None.

The entire expenditures may be stated as follows:

Amount paid on work and engineering,.....	\$294,000 00
“ due “ “ “ .....	56,000 00
“ paid on right of way,.....	10,234 26
“ “ incidental account,....	\$51,688 23
“ due on “ “ ....	56,761 80
	<hr/> 108,450 03
“ “ interest,.....	51,536 87
Total,.....	<u><u>\$520,221 16</u></u>

*Statement.*

GRAND RAPIDS AND INDIANA RAILROAD COMPANY.

Dr.

Amount of capital stock paid in,.....	\$292,872 49
“ due on construction and engineering,....	56 000 00
“ “ borrowed money,.....	63,050 00
“ “ incidental service,.....	56,761 80
“ “ interest,.....	51,536 87
Total,.....	<u><u>\$520,221 16</u></u>

GRAND RAPIDS & INDIANA RAILROAD COMPANY.

Cr.

Cost of construction and engineering,.....	\$350,000 00
Amount paid on right of way,.....	10,234 26
Cost of incidental service, .....	108,450 03
Interest account,.....	51,536 87
Total,.....	<u><u>\$520,221 16</u></u>

## THE COMPANY'S MEANS.

Total amount of capital stock,.....	\$ 2,800,000 00
"    "    first mortgage bonds,.....	5,000,000 00
Total value of construction,.....	\$350,000 00
"    "    incidental service,	
including interest,.....	159,986 90
	<hr/>
	509,986 90
Total value of lands deeded for right of way,..	50,000 00
"    "    stocks and bonds in other Co.'s.	6,100 00
Total of unpaid subscriptions, including municipal bonds voted,.....	736,537 18
Total of lands granted—six sections per mile, on 320½ miles—and in case all are full, the amount is 1,330,720 acres—but I think the net amount not over 1,000,000—which, after the construction of the road at \$10 per acre, will amount to.....	10,000,000 00

## REMARKS.

The details of this report are made out in compliance with the reading of the statute, as nearly as can be done under the circumstances. The statute undoubtedly contemplates that the roads reported upon should be in running condition. This road being only in process of construction, the attempt to comply with the literal specifications of the statute, makes the report bear an awkward appearance.

During the past year, the Company has done as much as \$90,000 in additional work on the line. As much as 70 miles are now graded, on 46 of which the bridging is done, and the cross-ties made, and an additional subscription of \$381,600 has been obtained. And although none of the road has been put in running condition, still a good year's work has been done, and the work is progressing, with good prospects of still greater success the ensuing year.

All of which is respectfully submitted.

(Signed)

JOSEPH LOMAX, *President.*



STATE OF MICHIGAN, }  
KALAMAZOO COUNTY, } ss.

Joseph Lomax, President of the Grand Rapids and Indiana Railroad Company, being duly sworn, deposes and says the above statement and report to the Auditor General is true and correct, as he verily believes.

JOSEPH LOMAX.

Sworn and subscribed to before me, this 6th day of April, 1866.

(Signed) MARSH GIDDINGS,  
Notary Public, Kalamazoo, Co., Mich.

[Five cent stamp.]

On motion of Mr. Kedzie,  
The communication was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. E. Spalding gave notice that on some future day he would ask leave to introduce

A bill to provide that bodies of deceased convicts, &c., when given to anatomical professors for dissection, for the purpose of advancing medical science in this State, be used for study in this State only.

Mr. Chauvin gave notice that on some future day he would ask leave to introduce

A bill to amend section one, of chapter eighteen, of the revised statutes of 1846, being section six hundred and five, of the compiled laws, relative to the repair and construction of fences.

Mr. Shetterly gave notice that on some future day he would ask leave to introduce

A bill to provide for the return and settlement of tax sales with the Auditor General, by county treasurers;

Also,

A bill to authorize the levying of a tax in the township of Macomb, in the county of Macomb, for the purpose of creating a fund to pay advances made without authority of law, by cer-

tain persons for bounties to volunteers to aid in suppressing the late rebellion.

Mr. Mickley gave notice that on some future day he would ask leave to introduce

A bill to organize the township of Deerfield, in Lenawee county.

Mr. Dusseau gave notice that on some future day he would ask leave to introduce

A bill to amend section two, of an act entitled "an act to provide for the protection of game in the State of Michigan," being act number two hundred and thirty-six, of the session laws of eighteen hundred and sixty-three, approved March twentieth, eighteen hundred and sixty-three.

Mr. L. Smith offered the following:

*Resolved*, That the Clerk be and he is hereby requested to cause one thousand copies to be printed of the laws of Congress, donating lands to the State of Michigan for the construction of railroads and for other improvements, (as compiled by the Attorney General,) for the use of the members of this House, and also five hundred copies for the State Library.

Mr. Boies moved to refer the resolution to the committee on printing;

Which motion did not prevail.

Mr. L. Smith moved to amend the resolution by striking out the words "one thousand," and inserting in lieu thereof, the words "two thousand;"

Which motion did not prevail.

Mr. Walker moved to amend the resolution by striking out the words "one thousand," and inserting the words "five hundred," in lieu thereof;

Which motion prevailed.

Mr. Woodman moved to amend the resolution by striking out the words "five hundred for the State Library," and inserting "fifty for the State Library," in lieu thereof;

Which motion did not prevail.

Mr. Haven moved to amend the resolution by striking out

the words "five hundred for the State Library," and inserting in lieu thereof, the words "two hundred and fifty for the State Library;"

Which motion prevailed.

The resolution, as amended, was then adopted.

Mr. Warner gave notice that on some future day he would ask leave to introduce

A bill to provide for a board of public works for the city of Detroit.

Mr. Healy gave notice that on some future day he would ask leave to introduce

A bill to authorize the Iron Cliffs company, to acquire and hold certain lands, and to acquire and hold stock in certain companies.

Mr. Aitkin gave notice that on some future day he would ask leave to introduce

A bill to organize union school district, of the city of Flint.

Mr. Kingsbury gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 108, of compiled laws, relative to divorce, being chapter 84, of the revised statutes of 1846, by adding a new section thereto, to be No. 44.

Mr. Stannard moved to discharge the committee of the whole from the further consideration of Senate bill No. 20, entitled

A bill to amend an act entitled "an act to incorporate the village of Ionia," approved February 17, 1865;

Which motion prevailed.

On motion of Mr. Stannard,

The bill was re-committed to the committee on banks and incorporations.

Mr. Hawley moved to discharge the committee of the whole from the further consideration of House bill No. 64, entitled

A bill to extend aid to the University of Michigan;

Which motion prevailed.

On motion of Mr. Hawley,

The bill was made the special order for Tuesday, February 12th, at 2 o'clock P. M.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to authorize graded school district number one, of the township of Leslie, in the county of Ingham, to borrow money for the purposes therein mentioned.

Mr. Woodward gave notice that on some future day he would ask leave to introduce

A bill to authorize the district board, of fractional school district number five, of the township of Grass Lake, in Jackson county, fractional with Sharon, Washtenaw county, to borrow money to build a school-house in said district.

Mr. Barber gave notice that on some future day he would ask leave to introduce

A bill to authorize school district number seven, in the township of Coldwater, Branch county, to borrow money, and issue the bonds of the district therefor, for the purpose of building a school-house.

Mr. Holt gave notice that on some future day he would ask leave to introduce

A bill to incorporate the city of Muskegon.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Ann Arbor.

Mr. White, unanimous consent being given, introduced

A bill to authorize the first Unitarian Society of Ann Arbor, Washtenaw county, to purchase church property, and mortgage the same for purchase money.

The bill was read a first and second time by its title, and,

On motion of Mr. White,

Was placed on the order of third reading.

Mr. Kedzie offered the following:

*Resolved*, (the Senate concurring,) That two copies of all public documents printed for the use of the Senate and House of Representatives, be furnished for the library of the State

University, the library of the Normal School, and the library of the Agricultural College.

Laid on the table for one day, under the rules.

Mr. Storrs gave notice that on some future day he would ask leave to introduce

A bill to amend act number two hundred and twelve of the session laws of 1865, relative to the Nunica and Muskegon State road.

Mr. Glavin gave notice that on some future day he would ask leave to introduce

Joint resolution asking Congress for an appropriation in money to aid in the construction of a harbor at the mouth of the Galien River, New Buffalo, Berrien county.

Mr. Healey gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to amend an act to authorize mining companies to subscribe and take stock in plank roads or railroads, and to regulate taxation thereon, approved February 8, 1855, being section 1831 of the compiled laws, approved March 14, 1863.

Mr. Boies gave notice that on some future day he would ask leave to introduce

A bill to incorporate the public schools of the village of Hudson.

Mr. Hawley offered the following:

*Whereas*, The Legislature has had a recess from Thursday, January 24th, to Wednesday, January 30th;

*And whereas*, It is usual, in case of a recess, for members to draw the same compensation for their arduous duties at bird suppers, &c., during such recess, as if they had been enjoying themselves and performing their pleasant duties as legislators at Lansing; therefore, be it

*Resolved*, (the Senate concurring,) That the pay which the members are entitled to receive, according to section 15, of article 4, of the Constitution, and which they would receive for the time spent in said recess, be paid to the Superintendent

of the State Reform School for the benefit of the Reform School library.

Laid on the table for one day under the rules.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to authorize the trustees of the first Methodist Episcopal Society of Ann Arbor, to pay and secure the indebtedness of said society, by selling and mortgaging certain real estate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Kingsbury, previous notice having been given, and leave being granted, introduced

A bill to amend the charter of the city of Grand Rapids.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to amend section seven, of an act entitled an act to incorporate the village of Mason, approved March 9, 1865.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Rockwood, previous notice having been given, and leave being granted, introduced

A bill to change the name of the village of Varna, to that of Olio.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 103, of the compiled laws of 1857, relating to the sale of real estate on execution, by adding thereto a new section.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend section 3837, of the compiled laws, in regard to appeal bonds.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill to amend section 12, of chapter 88, of the revised statutes of 1846, being section 2731, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Woodward, previous notice having been given, and leave being granted, introduced

A bill to authorize the board of trustees of (graded) fractional school district No. 7, Brooklyn and Columbia, in the county of Jackson, to borrow money to enlarge the school-house in said district.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Woodward, previous notice having been given, and leave being granted, introduced

A bill to authorize the township of Brooklyn to vote a tax to pay certain sums of money advanced to said township.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. Swift, unanimous consent being given, introduced

A bill to incorporate the village of Northville.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Storrs, previous notice having been given, and leave being granted, introduced

A bill to preserve floating logs, timber and lumber, and for marking of the same, on the Grand river, and its branches.

The bill was read a first and second time by its title, and referred the committee on lumber interests.

Mr. Wells, previous notice having been given, and leave being granted, introduced

A bill to prevent frauds and impositions upon school districts.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Huckins, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number six, of the township of Lexington, in the county of Sanilac, to borrow money, and to issue bonds therefor.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to amend an act, entitled "an act to amend section 26, chapter 101, of the revised statutes of 1846, being section 364 of the compiled laws, relative to the sale of real estate of deceased persons," approved March 15th, 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Pearl, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of St. Johns.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

#### THIRD READING OF BILLS AND RESOLUTIONS.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Sebewaing, in the county of Huron,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr Aitkin  
Alexander,  
Barber,

Mr. Hill,  
Holt,  
Hopkins,

Mr. Shetterly,  
Slayton.  
L. Smith,



Beall,	Howard,	R. B. Smith,
Boies,	Huckins,	E. Spalding,
Bonine,	Jenness,	P. S. Spaulding,
Brownell,	Jewell,	Spence,
A. S. Brown,	Kedzie,	Stannard,
C. R. Brown,	Kingsbury,	Stevens,
W. G. Brown,	Locke,	Storrs,
Canniff,	Lockwood,	Swift,
Chauvin,	Mallet,	Taylor,
Corey,	McCutcheon,	Tompkins,
Crossman,	McKernan,	Upton,
Deane,	Mead,	Walker,
Dusseau,	Mickley,	Warner,
Eck,	Miles,	Wells,
Emerson,	Newcomb,	White,
Fellows,	L. D. Osborn,	Wilcox,
Fenton,	Packard,	Wiley,
Gallup,	Parmelee,	Willard,
Glavin,	Pearl,	Woodward,
Greenfield,	Randall,	Woodman,
Grier,	Rockwood,	Wright,
Haven,	Schars,	Speaker,
Healy,		

76

NAYS.

0

Title agreed to.

On motion of Mr. Gallup,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 5, entitled

Joint resolution authorizing the Commissioner of the State Land Office, to issue a certificate of sale of certain land to Charles McCormick, of Ypsilanti, Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Slayton,
Alexander,	Holt,	L. Smith,
Barber,	Hopkins,	R. B. Smith,
Beall,	Howard,	E. Spalding,
Boies,	Huckins,	P. S. Spaulding,
Bonine,	Jenness,	Spence,
Brownell,	Jewell,	Stannard,

A. S. Brown,	Kedzie,	Stevens,
O. R. Brown,	Kingsbury,	Storrs,
W. G. Brown,	Locke,	Swift,
Canniff,	Lockwood,	Taylor,
Chauvin,	Lovell,	Tompkins,
Corey,	Mallet,	Upton,
Crossman,	McCutcheon,	Van Vleet,
Dusseau,	McKernan,	Walker,
Eck,	Mead,	Warner,
Emerson,	Mickley,	Wells,
Fellows,	Miles,	White,
Fenton,	W. H. Osborn,	Wilcox,
Gallup,	Parmelee,	Wiley,
Glavin,	Pearl,	Willard,
Greenfield,	Randall,	Woodward,
Grier,	Rockwood,	Woodman,
Hawley,	Schava,	Wright,
Healy,	Shetterly,	Speaker, 75

NAYS.

0

Title and preamble agreed to.

On motion of Mr. Jenness,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House joint resolution No. 4, entitled

Joint resolution authorizing the Governor to execute the certificate of non-incumbrance and surrender of the lands on the original line of the Marquette and Wisconsin State line road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Slayton,
Alexander,	Hill,	L. Smith,
Barber,	Holt,	R. B. Smith,
Beall,	Hopkins,	E. Spalding,
Boies,	Howard,	P. S. Spaulding,
Bonine,	Huckins,	Spence,
Brownell,	Jenness,	Stannard,
A. S. Brown,	Jewell,	Stevens,
O. R. Brown,	Kedzie,	Storrs,
W. G. Brown,	Kingsbury,	Swift,
Canniff,	Locke,	Taylor,

Chauvin,	Lockwood,	Tompkins,	
Corey,	Lovell,	Upton,	
Crossman,	Mallet,	Van Vleet,	
Dasseau,	McCutcheon,	Walker,	
Eck,	McKernan,	Warner,	
Emerson,	Mead,	Wells,	
Fellows,	Mickley,	White,	
Fenton,	W. H. Osborn,	Wilcox,	
Gallup,	Parmelee,	Wiley,	
Glavin,	Pearl,	Willard,	
Greenfield,	Randall,	Woodward,	
Grier,	Rockwood,	Woodman,	
Haven,	Schars,	Wright,	
Hawley,	Shetterly,	Speaker,	75
	NAYS.		0

Title and preamble agreed to.

On motion of Mr. Hill,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House joint resolution No. 7, entitled

Joint resolution asking the Government of the United States for an appropriation in money, for the construction of a harbor at the mouth of the Ontonagon river,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Slayton,
Alexander,	Hill,	L. Smith,
Barber,	Holt,	R. B. Smith,
Beall,	Hopkins,	E. Spalding,
Boies,	Howard,	P. S. Spaulding,
Bonine,	Huckins,	Spence,
Brownell,	Jenness,	Stannard,
A. S. Brown,	Jewell,	Stevens,
C. R. Brown,	Kedzie,	Storrs,
W. G. Brown,	Kingsbury,	Swift,
Canniff,	Locke,	Taylor,
Chauvin,	Lovell,	Tompkins,
Corey,	Mallet,	Upton,
Crossman,	McCutcheon,	Van Vleet,
Deane,	McKernan,	Walker,
Dunlap,	Mead,	Warner,
Dusseau,	Mickley,	Wells,

Eck,  
Emerson,  
Fellows,  
Fenton,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,

Miles,  
Newcombe,  
W. H. Osborn,  
Parmelee,  
Randall,  
Rockwood,  
Schars,  
Shetterly,

White,  
Wilcox,  
Wiley,  
Willard,  
Woodward,  
Woodman,  
Wright,  
Speaker,

76

0

## NAYS.

Title and preamble agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House bill No. 57, entitled

A bill to amend section one, of act numbered two hundred and eighty-eight, of the laws of 1865, entitled an act to authorize the formation of mechanics' and laboring men's co-operative associations, approved March 20, 1865, and also to amend the title of said act,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Alexander,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Emerson,

Mr. Hawley,  
Healy,  
Hill,  
Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell  
Kedzie,  
Kingsbury,  
Locke,  
Lovell,  
Mallet,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,

Mr. Shetterly,  
Slayton,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Swift,  
Taylor,  
Tompkins,  
Upton,  
VanVleet,  
Walker,  
Warner,  
Wells,  
White,

Fellows,	Newcombe,	Wilcox,	
Fenton,	W. H. Osborn,	Willard,	
Gallup,	Parmelee,	Woodward,	
Glavin,	Pearl,	Woodman,	
Greenfield,	Randall,	Wright,	
Grier,	Rockwood,	Speaker,	
Haven,	Schars,		77
	NAYS.		0

Title agreed to.

House bill No. 51, entitled

A bill to enlarge the corporate limits, and establish the boundary of the village of Galesburgh,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Shetterly,	
Alexander,	Hill,	Slayton,	
Barber,	Holt,	L. Smith,	
Beall,	Hopkins,	R. B. Smith,	
Boies,	Howard,	E. Spalding,	
Bonine,	Huckins,	P. S. Spaulding,	
Brownell,	Jenness,	Stannard	
A. S. Brown,	Jewell,	Stevens,	
C. R. Brown,	Kedzie,	Storrs,	
W. G. Brown,	Kingsbury,	Swift,	
Canniff,	Locke,	Taylor,	
Chauvin,	Lockwood,	Tompkins,	
Corey,	Lovell,	Upton,	
Crossman,	Mallet,	Van Vleet,	
Deane,	McCutcheon,	Warner,	
Dunlap,	McKernan,	Wells,	
Duseau,	Mead,	White,	
Eck,	Mickley,	Wilcox,	
Emerson,	Miles,	Wiley,	
Fellows,	Newcombe,	Willard,	
Fenton,	W. H. Osborn,	Woodward,	
Glavin,	Parmelee,	Woodman,	
Greenfield,	Randall,	Wright,	
Grier,	Rockwood,	Speaker,	
Hawley,	Schars,		74
	NAYS.		0

Title agreed to

On motion Mr. Lovell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 55, entitled

A bill to amend section 4, of title 4, of an act to revise the charter of the city of Lansing, approved March 17, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Shetterly,
Alexander,	Hill,	Slayton,
Barber,	Holt,	L. Smith,
Beall,	Hopkins,	R. B. Smith,
Boies,	Howard,	E. Spalding,
Brownell,	Huckins,	P. S. Spaulding,
A. S. Brown,	Jeness,	Stannard,
O. R. Brown,	Jewell,	Stevens,
W. G. Brown,	Kedzie,	Storrs,
Canniff,	Kingsbury,	Swift,
Chauvin,	Locke,	Tompkins,
Corey,	Lockwood,	Upton,
Crossman,	Lovell,	Van Vleet,
Desné,	Mallet,	Walker,
Dunlap,	McCutcheon,	Warner,
Dusseau,	McKernan,	Wells,
Eck,	Mead,	White,
Emerson,	Mickley,	Wilcox,
Fellows,	Miles,	Wiley,
Fenton,	W. H. Osborn,	Willard,
Glavin,	Parmelee,	Woodward,
Greenfield,	Randall,	Woodman,
Grier,	Rockwood,	Wright,
Haven,	Schars,	Speaker,
Hawley,		

73

#### NAYS.

0

Title agreed to.

On motion of Mr. Crossman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 46, entitled

A bill to change the name of the town of Ft. Gratiot, St. Clair county, to Keosao,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Shetterly,
Alexander,	Healy,	Slayton,
Barber,	Hill,	L. Smith,
Beall,	Holt,	R. B. Smith,
Boies,	Hopkins,	E. Spalding,
Bonine,	Howard,	P. S. Spaulding,
Brownell,	Huckins,	Spence,
A. S. Brown,	Jenness,	Stannard,
C. R. Brown,	Jewell,	Stevens,
W. G. Brown,	Kedzie,	Storrs,
Canniff,	Kingsbury,	Swift,
Chauvin,	Locke,	Tompkins,
Corey,	Lovell,	Upton,
Crossman,	Mallet,	Van Vleet,
Deane,	McCutcheon,	Walker,
Dunlap,	McKernan,	Warner,
Dusseau,	Mead,	Wells,
Eck,	Mickley,	White,
Emerson,	Miles,	Wilcox,
Fellows,	Newcombe,	Wiley,
Fenton,	W. H. Osborn,	Willard,
Gallup,	Parmelee,	Woodward,
Glavin,	Randall,	Woodman,
Greenfield,	Rockwood,	Wright,
Grier,	Schars,	Speaker,
Haven,		

76

## NAYS.

0

Title agreed to.

On motion of Mr. Miles,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 61, entitled

A bill to authorize the board of education of the city of Lansing to borrow money and issue bonds for the construction of a high school building,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Kedzie asked and obtained unanimous consent to amend the bill, by striking out the words "the first section of," in line

11; and inserting the words "by a two-thirds vote," in lieu of the words "from a majority," in line 12, and the word "present," after the word "Lansing," in line 13; also, by striking out section two.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Slayton,
Alexander,	Healy,	L. Smith,
Barber,	Hill,	R. B. Smith,
Beall,	Holt,	E. Spalding,
Boies,	Hopkins,	P. S. Spaulding,
Bonine,	Howard,	Spence,
Brownell,	Huckins,	Stannard,
A S. Brown,	Jenness,	Stevens,
C. R. Brown,	Jewell,	Storrs,
W. G. Brown,	Kedzie,	Swift,
Canniff,	Kingsbury,	Taylor,
Chauvin,	Locke,	Tompkins,
Corey,	Lovell,	Upton,
Crossman,	Mallet,	Van Vleet,
Deane,	McKernan,	Walker,
Dunlap,	Mead,	Warner,
Dusseau,	Mickley,	Wells,
Eck,	Miles,	White,
Emerson,	Newcombe,	Wilcox,
Fellows,	W. H. Osborn,	Wiley,
Fenton,	Parmelee,	Willard,
Gallup,	Randall,	Woodward,
Glavin,	Rockwood,	Woodman,
Greenfield,	Schars,	Wright,
Grier,	Shetterly,	Speaker,
Haven,		

76

## NAYS.

0

Title agreed to.

On motion of Mr. Crossman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker announced the following:



SENATE CHAMBER,  
*Lansing, February 1, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 3, entitled

A bill to amend section one thousand two hundred and eighty-two of the compiled laws, relating to limited partnerships;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 1, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Romulus, in the county of Wayne;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,

On motion of Mr. Swift,

Was placed on the order of third reading.

On motion of Mr. Hopkins,

The House took a recess until two o'clock this afternoon.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Pearl, unanimous consent being given, moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Dallas, in the county of Clinton, for the year 1866;

Which motion prevailed.

On motion of Mr. Pearl,

The bill was placed on the order of third reading.

The House then resumed business under the order of

THIRD READING OF BILLS AND RESOLUTIONS.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Dallas, in the county of Clinton, for the year 1866,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Healy,	Mr. Shetterly,
Alexander,	Hill,	Slayton,
Barber,	Holt,	L. Smith,
Beall,	Hopkins,	R. B. Smith,
Boies,	Howard,	E. Spalding,
Bonine,	Huckins,	P. S. Spaulding,
Brownell,	Jenness,	Spence,
A. S. Brown,	Jewell,	Stannard,
O. R. Brown,	Kedzie,	Stevens,
W. G. Brown,	Kingsbury,	Storrs,
Canniff,	Locke,	Swift,
Chauvin,	Lockwood,	Taylor,
Corey,	McCutocheon,	Tompkins,
Crossman,	McKernan,	Upton,
Deane,	Mead,	Van Vleet,
Dusseau,	Mickley,	Warner,

Eck,	Miles,	Wells,
Fellows,	Newcombe,	White,
Fenton,	W. H. Osborn,	Wiley,
Gallup,	Parmelee,	Willard,
Glavin,	Pearl,	Woodward,
Greenfield,	Randall,	Woodman,
Grier,	Rockwood,	Wright,
Haven,	Schars,	Speaker, 72

## NAYS.

Mr. Lovell,

1

Title agreed to.

On motion of Mr. Pearl,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to extend the time for the collection of taxes, in the townships of Portland and Orange, in the county of Ionia,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. Slayton,
Alexander,	Holt,	L. Smith,
Barber,	Hopkins,	R. B. Smith,
Beall,	Howard,	E. Spaulding,
Boies,	Huckins,	P. S. Spalding,
Bonine,	Jenness,	Spence,
Brownell,	Jewell,	Stannard,
A. S. Brown,	Kedzie,	Stevens,
C. R. Brown,	Kingsbury,	Storrs,
W. G. Brown,	Locke,	Swift,
Canniff,	Lockwood,	Taylor,
Chauvin,	McCutcheon,	Tompkins,
Corey,	McKernan,	Upton,
Crossman,	Mead,	Van Vleet,
Deane,	Mickley,	Walker,
Dusseau,	Miles,	Warner,
Eck,	Newcombe,	Wells,
Fellows,	W. H. Osborn,	White,
Fenton,	Parmelee,	Wiley,
Gallup,	Pearl,	Willard,
Glavin,	Randall,	Woodward,
Greenfield,	Rockwood,	Woodman,

Grier,  
Haven, ,  
Healy,

Schars,  
Shetterly,

Wright,  
Speaker,

74

0

NAYS.

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Swift,

The rule requiring the second and third reading of bills to be on different days, was suspended, in order that all bills now on the order of third reading might be put upon their passage.

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Romulus, county of Wayne,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,  
Alexander,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dussean,  
Eck,  
Fellows,  
Fenton,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,

Mr. Healy,  
Hill,  
Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Newcombe,  
W. H. Osborn,  
Parmelee,  
Pearl,  
Randall,  
Rockwood,  
Schars,

Mr. Shetterly,  
Slayton,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Storrs,  
Swift,  
Taylor,  
Tompkins,  
Upton,  
Van Vleet,  
Walker,  
Wells,  
White,  
Wilcox,  
Wiley,  
Willard,  
Woodward,  
Woodman,  
Wright,  
Speaker,

72

## NAYS.

0

Title agreed to.

On motion of Mr. Swift,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Hopkins moved that the House go into committee of the whole on the special order of the day;

Which motion did not prevail.

House bill No. 56, entitled

A bill to authorize school district No. 2, of the township of Superior, Washtenaw county, to issue bonds for the purposes therein mentioned,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Holt,	Mr. Slayton,
Alexander,	Hopkins,	L. Smith,
Barber,	Howard,	R. B. Smith,
Beal,	Huckins,	E. Spalding,
Boies,	Jenness,	P. S. Spaulding,
Bonine,	Jewell,	Spence,
Brownell,	Kedzie,	Stannard,
A. S. Brown,	Kingsbury,	Stevens,
O. R. Brown,	Locke,	Storrs,
W. G. Brown,	Lockwood,	Swift,
Canniff,	Lovell,	Taylor,
Chauvin,	Mallet,	Tompkins,
Corey,	McCutcheon,	Upton,
Crossman,	McKernan,	Van Vleet,
Deane,	Mead,	Walker,
Dussean,	Mickley,	Warner,
Eck,	Miles,	Wells,
Fellows,	Newcombe,	White,
Fenton,	W. H. Osborn,	Wilcox,
Gallup,	Parmelee,	Wiley,
Glavin,	Pearl,	Willard,
Greenfield,	Randall,	Woodward,
Grier,	Rockwood,	Woodman,
Haven,	Schars,	Wright,
Healy,	Shetterly,	Speaker,
Hill,		

76

## NAYS.

Mr. Dunlap,

1

Title agreed to.

On motion of Mr. White,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 8, entitled

Joint resolution asking of Congress a grant of lands to the State to aid in deepening the channel of navigation between Lake Superior and Eagle Harbor, in the county of Keweenaw,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Warner asked and obtained the unanimous consent of the House, to amend the joint resolution, by adding thereto the following:

*"Resolved, That the Governor be and he is hereby directed to transmit copies of the foregoing resolution, to each of our Senators and Representatives in Congress."*

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,	Mr. Hill,	Mr. L. Smith,
Barber,	Holt,	R. B. Smith,
Beall,	Hopkins,	E. Spalding,
Boies,	Howard,	P. S. Spaulding,
Bonine,	Huckins,	Spence,
Brownell,	Jenness,	Stannard,
A. S. Brown,	Jewell,	Stevens,
C. R. Brown,	Kedzie,	Storrs,
W. G. Brown,	Kingsbury,	Swift,
Canniff,	Locke,	Taylor,
Chauvin,	Lockwood,	Tompkins,
Corey,	Lovell,	Upton,
Crossman,	Mallet,	Van Fleet,
Deane,	McCutcheon,	Walker,
Dunlap,	McKernan,	Warner,
Dusseau,	Mead,	Wells,
Eck,	Mickley,	White,
Fellows,	Newcombe,	Wilcox,
Fenton,	W. H. Osborn,	Wiley,

Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,  
Healy,

Parmelee,  
Randall,  
Rockwood,  
Schars,  
Shetterly,  
Slayton,

Willard,  
Woodman,  
Woodward,  
Wright,  
Speaker,

74

NAYS.

0

Title and preamble agreed to.

House bill No. 70, entitled

A bill to provide for the incorporation of associations, for the purpose of constructing, owning and controlling warehouses for the storage of grain and other commodities,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Jenness asked and obtained the unanimous consent of the House to amend the bill, by striking out the word "fifty," in line 7, of section 3, and inserting in lieu thereof the words "one hundred."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS

Mr. Aitkin,  
Alexander,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Fellows,  
Gallup,  
Glavin,

Mr. Hill,  
Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Mallet,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Newcombe,  
W. H. Osborn,  
Parmelee,

Mr. Slayton,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Swift,  
Taylor,  
Tompkins,  
Upton,  
Van Vleet,  
Walker,  
Warner,  
Wells,  
White,  
Wilcox,  
Wiley,  
Willard,

Greenfield,  
Grier,  
Haven,  
Hawley,  
Healy,

Pearl,  
Randall,  
Rockwood,  
Schars,  
Shetterly,

Woodward,  
Woodman,  
Wright,  
Speaker,

77

NAYS.

0

Title agreed to.

House bill No. 60, entitled

A bill to amend section forty-nine hundred and eighty-five (4985,) and forty-nine hundred and ninety-four, (4994,) of the compiled laws, being sections twelve (12) and twenty-one, (21,) of chapter one hundred and fifty, (150,) of said laws, and to add certain new sections to said chapter,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Grier asked and obtained the unanimous consent of the House to amend the bill by inserting the words, "the value of," after the word "premises," in line 10, of section 4.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Alexander,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Emerson,  
Fellows,  
Fenton,

Mr. Hawley,  
Healy,  
Hill,  
Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
Kedzie,  
Locke,  
Lockwood,  
Lovell,  
Mallet,  
McKutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Newcombe,  
W. H. Osborn,

Mr. Schars,  
Shetterly,  
Slayton,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Swift,  
Taylor,  
Upton,  
Van Vleet,  
Walker,  
Warner,  
White,  
Wilcox,  
Wiley,  
Willard,



Gallup,	Parmelee,	Woodward	
Greenfield,	Pearl,	Woodman,	
Grier,	Randall,	Wright,	
Haven,	Rockwood,		74
	NAYS.		.

Mr. Glavin,	Mr. Wells,	Mr. Speaker,	
Kingsbury,			4
Title agreed to.			

House bill No. 65, entitled

A bill to amend act No. 38, of the session laws of 1865, entitled an act to amend section 579, of the compiled laws, requiring overseers of highways to give bonds,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Locke,	Mr. Stevens,	
Barber,	Mallet,	Storrs,	
Boies,	McCutcheon,	Swift,	
Bonine,	Mead,	Taylor,	
Brownell,	Mickley,	Tompkins,	
A. S. Brown,	Newcombe,	Upton,	
C. R. Brown,	W. H. Osborn,	Walker,	
W. G. Brown,	Pearl,	Warner,	
Canniff,	Rockwood,	White,	
Crossman,	Shetterly,	Wilcox,	
Dunlap,	Slayton,	Wiley,	
Grier,	R. B. Smith,	Willard,	
Haven,	E. Spalding,	Woodward,	
Healey,	P. S. Spaulding,	Woodman,	
Hopkins,	Spence,	Wright,	
Jenness,	Stannard,	Speaker,	
Kedzie,			49

#### NAYS.

Mr. Alexander,	Mr. Fenton,	Mr. Kingsbury,	
Beall,	Gallup,	Lockwood,	
Chauvin,	Glavin,	Lovell,	
Corey,	Greenfield,	McKernan,	
Deane,	Hawley,	Miles,	
Dusseau,	Holt,	Randall,	
Eck,	Howard,	Schars,	
Emerson,	Huckins,	L. Smith,	
Fellows,	Jewell,	Van Vleet,	27

Mr. Deane moved to reconsider the vote by which the bill was lost;

Which motion prevailed.

Mr. Van Vleet moved to lay the bill on the table;

Which motion did not prevail.

Mr. Warner moved that the bill be recommitted to the committee on State affairs;

Which motion prevailed.

House bill No. 63, entitled

A bill to repeal sections 2032 and 2033, of the compiled laws, in regard to charitable bequests and devises,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Haven,	Mr. Rockwood,
Alexander,	Hawley,	Schars,
Barber,	Healy,	Slayton,
Beall,	Hill,	L. Smith,
Boies,	Holt,	R. B. Smith,
Bonine,	Hopkins,	P. S. Spaulding.
Brownell,	Huckins,	Spence,
A. S. Brown,	Jenness,	Stannard,
O. R. Brown,	Jewell,	Stevens,
W. G. Brown,	Kedzie,	Storrs,
Canniff,	Kingsbury,	Swift,
Chauvin,	Locke,	Tompkins,
Corey,	Lockwood,	Upton,
Crossman,	Lovell,	Van Vleet,
Deane,	Mallet,	Walker,
Dunlap,	McCutcheon,	Warner,
Eck,	McKernan,	White,
Emerson,	Mead,	Wilcox,
Fellows,	Mickley,	Wiley,
Fenton,	Miles,	Willard,
Gallup,	Newcombe,	Woodward,
Glavin,	W. H. Osborn,	Woodman,
Greenfield,	Parmelee,	Speaker,
Grier,	Randall,	

71

#### NAYS.

Mr. Dusseau,	Mr. Pearl,	Mr. E. Spalding,
Howard,	Shetterly,	Wright,

6

Title agreed to.

Senate bill No. 8, entitled

A bill to prevent the adulteration of milk, and to prevent the traffic in impure and unwholesome milk,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Rockwood,
Alexander,	Healy,	Shetterly,
Barber,	Hill,	Slayton,
Beall,	Holt,	L. Smith,
Boies,	Hopkins,	R. B. Smith,
Bonine,	Howard,	E. Spalding,
Brownell,	Huckins,	P. S. Spaulding,
A. S. Brown,	Jenness,	Spence,
C. R. Brown,	Jewell,	Stannard,
W. G. Brown,	Kedzie,	Stevens,
Canniff,	Kingsbury,	Storrs,
Chauvin,	Locke,	Swift,
Corey,	Lockwood,	Tompkins,
Crossman,	Lovell,	Upton,
Deane,	Mallet,	Van Vleet,
Dunlap,	McCutcheon,	Walker,
Dusseau,	McKernan,	Warner,
Eck,	Mead,	White,
Emerson,	Mickley,	Wilcox,
Fenton,	Miles,	Wiley,
Gallup,	Newcombe,	Willard,
Glavin,	W. H. Osborn,	Woodward,
Greenfield,	Parmelee,	Woodman,
Grier,	Pearl,	Wright,
Haven,	Randall,	Speaker, 75
	NAYS.	0.

Title agreed to.

Mr. Grier moved that the bill be ordered to take immediate effect;

Which motion did not prevail

House bill No. 53, entitled

A bill to amend section 5654 of the compiled laws, relative to fees of jurors,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Alexander,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Emerson,  
Fellows,  
Fenton,  
Gallup,  
Glavin,  
Greenfield,  
Grier,

Mr. Haven,  
Hawley,  
Healy,  
Hill,  
Holt,  
Hopkins,  
Howard,  
Jenness,  
Jewell,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Mallet,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Newcombe,  
W. H. Osborn,  
Parmelee,  
Pearl,  
Randall,

Mr. Rockwood,  
Shetterly,  
Slayton,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Swift,  
Tompkins,  
Upton,  
Van Vleet,  
Walker,  
Warner,  
White,  
Wilcox,  
Wiley,  
Willard,  
Woodward,  
Woodman,  
Wright,  
Speaker, 75.

## NAYS.

Mr. Huckins,

1

Title agreed to.

Mr. Van Vleet moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 59, entitled

A bill to legalize the action of the township of Lowell, Kent county, in raising money to build a bridge across Grand River, in said township,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitkin,  
Alexander,  
Barber,

Mr. Hawley,  
Healy,  
Hill,

Mr. Rockwood,  
Shetterly,  
Slayton,

Beall,	Holt,	L. Smith,
Boies,	Hopkins,	R. B. Smith,
Bonine,	Howard,	E. Spalding,
Brownell,	Huckins,	P. S. Spaulding,
A. S. Brown,	Jenness,	Spence,
C. R. Brown,	Jewell,	Stannard,
W. G. Brown,	Kedzie,	Stevens,
Canniff,	Kingsbury,	Storrs,
Chauvin,	Locke,	Swift,
Corey,	Lockwood,	Tompkins,
Crossman,	Lovell,	Upton,
Deane,	Mallet,	Van Vleet,
Dunlap,	McCutcheon,	Walker,
Dussean,	McKernan,	Warner,
Eck,	Mead,	White,
Emerson,	Mickley,	Wilcox,
Fellows,	Miles,	Wiley,
Fenton,	Newcombe,	Willard,
Gallup,	W. H. Osborn,	Woodward,
Glavin,	Parmelee,	Woodman,
Greenfield,	Pearl,	Wright,
Grier,	Randall,	Speaker,
Haven,		

76

NAYS.

0

Title agreed to.

On motion of Mr. Slayton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 50, entitled

A bill to legalize the action of school district No. 5, in the township of Lowell, in Kent county, in raising money to build a school-house therein,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, follows:

YEAS.

Mr. Aitkin,	Mr. Haven,	Mr. Randall,
Alexander,	Hawley,	Rockwood,
Barber,	Healy,	Shetterly,
Beall,	Hill,	Slayton,
Boies,	Holt,	L. Smith,
Bonine,	Hopkins,	R. B. Smith,
Brownell,	Howard,	E. Spalding,

A. S. Brown,	Huokins,	P. S. Spaulding,
C. R. Brown,	Jenness,	Spence,
W. G. Brown,	Jewell,	Stannard,
Canniff,	Kedzie,	Stevens,
Chauvin,	Kingsbury,	Storrs,
Corey,	Locke,	Swift,
Crossman,	Lockwood,	Tompkins,
Deane,	Lovell,	Upton,
Dunlap,	Mallet,	Walker,
Dusseau,	McCutcheon,	Warner,
Eck,	McKernan,	White,
Emerson,	Mead,	Wilcox,
Fellows,	Mickley,	Wiley,
Fenton,	Miles,	Willard,
Gallup,	Newcombe,	Woodward,
Glavin,	W. H. Osborn,	Woodman,
Greenfield,	Parmelee,	Wright,
Grier,	Pearl,	Speaker, 75
	NAYS.	0

Title agreed to.

House manuscript bill, entitled

A bill to authorize the first Unitarian Society of Ann Arbor, in Washtenaw county, to purchase church property, and mortgage the same for purchase money,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitkin,	Mr. Hawley,	Mr. Rockwood,
Alexander,	Healy,	Slayton,
Barber,	Hill,	R. B. Smith,
Beall,	Holt,	E. Spalding,
Boies,	Hopkins,	P. S. Spaulding,
Bonine,	Howard,	Spence,
Brownell,	Jenness,	Stannard,
A. S. Brown,	Jewell,	Stevens,
C. R. Brown,	Kedzie,	Storrs,
W. G. Brown,	Kingsbury,	Swift,
Canniff,	Locke,	Tompkins,
Chauvin,	Lovell,	Upton,
Corey,	Mallet,	Walker,
Crossman,	McCutcheon,	Warner,
Deane,	McKernan,	White,
Dunlap,	Mead,	Wilcox,
Eck,	Mickley,	Wiley,

Emerson,	Miles,	Willard,	
Fenton,	Newcombe,	Woodward,	
Glavin,	W. H. Osborn,	Woodman,	
Greenfield,	Parmelee,	Wright,	
Grier,	Pearl,	Speaker,	
Haven,	Randall,		68

## NAYS.

Mr. Dusseau,	Mr. L. Smith.	2
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Title agreed to.

On motion of Mr. White,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The committee on engrossment and enrollment, submitted the following report:

The committee on engrossment and enrollment, report as correctly enrolled, signed, and presented to the Governor, the following bill:

A bill to amend section one thousand two hundred and eighty-two, (1,282,) of the compiled laws, relative to limited partnerships.

DANIEL UPTON, *Chairman.*

Report accepted.

## SPECIAL ORDER.

On motion of Mr. Kedzie,

The House went into committee of the whole, on the special order,

Mr. Hawley in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following concurrent resolution:

*Whereas*, There are many thousands of acres of valuable lands called "railroad lands," which are mainly located in the most recently settled portion of the State, and have been withheld from sale for about ten years past, greatly to the hindrance of the settlement of the country, the laying out and construction of roads, the organization and maintenance of schools

and churches, and the full development of the wealth of the State, and which withholding from sale of said lands is a just cause of complaint by the people where they are located;

*And whereas*, A sale of those lands at public auction, to the highest bidder, after due public notice, would open them to settlement, and secure their full value for the construction of the contemplated railroads, without sacrifice, and thus greatly promote the settlement, growth, and development of the State, and hasten the construction of the railroads, for which purpose they were generously donated by the United States, and thus remove all cause of complaint above alluded to; therefore,

*Resolved*, (The Senate concurring,) That our Senators in Congress be and they are hereby instructed, and our Representatives, (in Congress,) requested to vote for, and use their influence to obtain the passage of a law by Congress, allowing the railroad lands of this State to be publicly advertised and sold at public vendue, to the highest bidder, in the usual Government subdivisions, at the respective land offices where located, provided no bid shall be received less than \$4 per acre, and all lands not thus sold, to be subject to private entry after such public sale, at \$4 per acre, and the proceeds of all such lands to be retained in trust for the construction of the respective railroads for which they were donated, and be paid over to them when they are entitled to the same, on the same terms and conditions as the lands would have been made over to them, had they not been sold: *Provided*, The same can be done without any violation of plighted faith on the part of Congress; and be it further

*Resolved*, That the Governor be authorized and requested to forward a copy of these preamble and resolutions, properly signed by the President of the Senate, and Speaker of the House of Representatives, to each of our Senators and Representatives in Congress, immediately after the passage of the same;

Have made some progress therein, but not having gone



through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

THOMAS D. HAWLEY, *Chairman*.

Report accepted.

On motion of Mr. White,

Leave was granted to the committee to sit again.

Mr. Randall moved that the House take a recess until 7½ o'clock this evening.

On motion of Mr. Crossman,

The House adjourned until to-morrow morning at 10 o'clock.

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*Lansing, Saturday, February 2, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

Absent at roll-call, without leave, Messrs. Benedict, Funston, Kedzie, Upton and Wells.

Mr. Van Vleet asked and obtained leave of absence for Mr. Kedzie, until Monday.

Mr. Pearl asked and obtained leave absence for Mr. Benedict, until Tuesday.

Mr. Miles asked and obtained leave of absence for Mr. Funston, until Monday.

Mr. Bonine asked and obtained leave of absence for Mr. Wells, on account of sickness.

Mr. W. G. Brown asked and obtained leave of absence for Mr. Upton, until Monday.

#### PRESENTATION OF PETITIONS.

By Mr. Schars: petition of Francis St. Aubin, Jr., and 42 others, praying for the passage of a law to authorize the townships of Clinton and Harrison, in Macomb county, to raise a tax to build a bridge across the Clinton river;

Also, petition of Edgar Weeks and 65 others, for the same purpose.

Referred to the committee on local taxation.

By Mr. Sexton: petition of Arthur E. Boylon and 23 others, praying for the passage of a law authorizing the registration of marriages, births and deaths.

Referred to the committee on State affairs.

By Mr. Mickley: petition of J. P. Cawley, E. D. Allen, L. L. Todd and 180 others, asking the Legislature to pass Senator Croswell's railroad bill.

Referred to the committee on internal improvements.

By Mr. Mickley: petition of Mordecai Carpenter, R. V. Johnson, L. G. Bachelor and 8 others, asking to be detached from the township of Ridgeway, and attached to the township of Deerfield, when such township shall be organized.

Referred to the committee on towns and counties.

By Mr. Corey: petition of Elias Westfall, Joshua Cushman and Wesley Westfall, of the towns of Lima and Sylvan, praying for a law to equalize and correct a ditch tax in said townships.

Referred to the committee on the judiciary.

By Mr. Taylor: petition of John M. Heisradt, to amend section 9, of chapter 21, of the compiled laws.

Referred to the committee on the judiciary.

By Mr. Woodward: petition of the school district board of fractional school district No. 5, of Grass Lake, Jackson county, asking authority to borrow money to build a school-house in said district.

Referred to the committee on local taxation.

By Mr. Aitken: petition of R. D. Lamond and 28 others, citizens of Genesee county, for a registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Miles: petition of John E. Kitton, John Canan and Francis Krouse, bondsmen for Henry Johr, late treasurer of the county of St. Clair, praying for relief;

Also, petition of Rev. Henry Buyso and 22 other citizens of

the township of Ira, in the county of St Clair, praying for relief for Henry Johr, late treasurer of St. Clair;

Also, certified proceedings of the board of supervisors, of the county of St. Clair, in the case of Henry Johr, treasurer;

Also, copy of evidence taken before a committee of the board of supervisors, of the county of St. Clair, in relation to the robbing of Henry Johr, late treasurer of said county.

Referred to the committee on ways and means.

By Mr. Bonine: petition of J. B. Fitzgerald, H. M. Dean, R. C. Paine, J. C. Laremore, W. Graves and 272 others, praying for an act to enlarge the corporate limits of the city of Niles;

Also, remonstrance of Geo. W. Platt and five others, against enlarging the corporate limits of the city of Niles.

Also, remonstrance of N. Bacon and 82 others, against enlarging the corporate limits of the city of Niles.

Referred to the committee on banks and incorporations.

By Mr. Bonine: petition of S. S. French, M. D., Geo. L. Ames, M. D., H. O. Hitchcock, M. D., L. C. Woodman, M. D., and 26 others, Physicians, praying for the passage of a law to increase the fees of witnesses, when testifying as experts.

Referred to the committee on the judiciary.

By Mr. Camburn: petition of H. Smith, G. F. Case, and 42 others, citizens of Montcalm county, for a State road from Stanton, Montcalm county, to St. Charles, in Saginaw county, and an appropriation of swamp lands therefor.

Referred to the committee on public lands.

By Mr. Smith: petition of R. Fuller and 25 others, asking for an appropriation to aid in constructing a State road from Stanton, in Montcalm county, to St. Charles, in Saginaw county;

Also, petition of John Jeffrey and 28 others, for the same purpose;

Also, petition of Wm. S. Hall and many others, for the same purpose.

Referred to the committee on public lands.

By Mr. Walker: petition of the Detroit and Saline Plank

Road company, for an increase of tolls, discriminating in favor of vehicles with broad tires;

Also, petition of Daniel Scotten, F. Buhl, I. N. Swain, Bela Hubbard, Franklin Moore and 25 others, for the organization of the village of Riverside.

Referred to the committee on banks and incorporations.

By Mr. Barber: petition of I. H. Beech and other citizens of Branch county, relative to the registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Aitken: petition of G. R. Gold and 10 others, citizens of the city of Flint, to organize a union school.

Referred to the committee on education.

By Mr. Van Vleet: memorial of the electors of the city of Flint, in the county of Genesee, asking the Legislature to legalize the action of said electors in voting aid to the Port Huron and Lake Michigan Railroad company.

Referred to the committee on internal improvements.

By Mr. J. H. Jones: communication from the superintendent and trustees of the Detroit House of Correction, to the Legislature of Michigan.

On motion of Mr. J. H. Jones,

The communication was ordered printed in the journal.

The following is the communication:

CITY OF DETROIT, }  
Mayor's Office, Jan. 23, 1867. }

*To the Hon. the Chairman of the Committee on State Prison of the Legislature of Michigan:*

MY DEAR SIR—Enclosed I hand you the communication of the Inspectors of the House of Correction inviting your committee and others to visit our Institution.

I most heartily concur in the invitation, and respectfully submit the invitation.

Your obedient servant,

Z. R. BROCKWAY,  
*Superintendent.*

*To the Honorable the Committee on the State Prison of the Legislature of Michigan:*

The board of inspectors of the House of Correction of the city of Detroit, learn with pleasure that your honorable committee propose to visit the House of Correction.

We beg you to communicate to the Senate and House of Representatives that it will be most gratifying to the board to have those bodies at large, or as many members thereof as can make it convenient, also to visit the House of Correction, either during the coming recess or at any other time, at their pleasure.

M. I. MILLS,  
GEO. V. N. LOTHROP,  
L. M. MASON,  
N. W. BROOKS,

*Inspectors.*

DETROIT, Jan. 23, 1867.

By Mr. Crossman: petition of John Broad, Stephen B. Morehouse and 107 others, praying for a law equalizing State bounties to volunteers.

Referred to the committee on bounties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to confirm the title of the Northern Central Michigan railroad company, to the property, rights and franchises, acquired by it of the Amboy, Lansing and Traverse Bay railroad company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill for the prosecution and punishment of trespassers, on lands granted by the United States, to the State of Michigan, for railroad purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with a recommendation that the same be referred to the committee on the judiciary, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Jenness,

The bill was referred to the committee on the judiciary.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the board of trustees of graded fractional school district number 7, in the townships of Brooklyn and Columbia, in the county of Jackson, to borrow money to enlarge the schoolhouse in said district,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize school district No. 6, of the township of

Lexington, in the county of Sanilac, to borrow money and to issue bonds therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize school district No. 6, of the township of Lexington, in the county of Sanilac, to borrow money for a purpose in said bill mentioned, and to issue bonds therefor,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Huckins,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking an appropriation in money for the survey of the harbor of Alpena, at the mouth of Thunder Bay river, and for building a light-house,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHARLES E. MICKLEY, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking for an appropriation of money for the improvement of Portage Lake and river, in Houghton county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHARLES E. MICKLEY, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on lumber interests:

The committee on lumber interests, to whom was referred

A bill to preserve floating logs, timber and lumber, and for the marking of the same, on the Grand river and its tributaries,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. H. GALLUP, *Chairman*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to prevent the running at large of bulls, boars and rams,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. H. FELLOWS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.



By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend the charter of the city of Grand Rapids,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred a petition of the president and common council of the village of Mason, asking an amendment to the village charter; also,

A bill to amend section 7, of an act entitled an act to incorporate the village of Mason, approved March 9, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Pentwater,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recom-

mending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Deane,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Lyons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. R. B. Smith,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary to whom was referred

1. Senate bill No 82, entitled

A bill to amend section 42, of chapter 65, of the revised statutes of 1846, entitled "of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages," being section 2761 of the compiled laws, and to add three new sections to said chapter 65, to stand as sections 45, 46 and 47, thereof;

2. Senate bill No. 29, entitled

A bill to amend act No. 106, of the session laws of 1861, entitled an act in relation to the collection of recognizances in criminal cases, approved March 7, 1861;

3. Senate bill No. 16, entitled

A bill to amend section 24, of chapter 140, of the revised statutes of 1846, being section 5384, of the compiled laws, relative to limitations of actions;

4. House manuscript bill, entitled

A bill to amend act No. 301, of the session laws of 1865, being an act entitled "an act to regulate the tolls on plank roads in Bay, Clinton, Gratiot and Saginaw counties;"

5. House manuscript bill, entitled

A bill to amend chapter 103, of the compiled laws of 1857, relating to the sale of real estate on execution, by adding thereto a new section;

6. House manuscript bill, entitled

A bill to provide for the election of overseers of highways in the upper Peninsula;

7. House manuscript bill, entitled

A bill to amend section 5311, of the compiled laws, in regard to costs in quo warranto cases;

8. House manuscript bill, entitled

A bill to authorize the trustees of the First Methodist Episcopal society of Ann Arbor, to pay and secure the indebtedness of said society by selling and mortgaging certain real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The first, second, and third named bills were referred to the committees of the whole, and placed on the general order.

The fourth, fifth, sixth, seventh and eighth named bills were

ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred so much of the Governor's message as pertained to frauds in land titles, and defects in our system of deeds, report that they have had the same under consideration, and referred the matter to the Hon. T. C. Grier, of Bay county, a member of this committee, who has introduced a bill accordingly, entitled

A bill relative to executing, acknowledging and recording deeds, mortgages and other instruments, and to prevent frauds in land titles,

Which has also been referred to this committee, and has been carefully considered, and in the opinion of the committee, will fully remedy the evils referred to in said message, and they have directed me to report the said bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of Wm. T. Marks, G. A. Phelps, John Randolph and 51 other citizens of St. Clair county, praying for the enactment of a law to prevent the destruction of muskrats and their houses in said county;

Also, the following entitled bill:

A bill to prevent the destruction of muskrats and muskrat houses in the townships of Clay, Cottrellville and Ira, in the county of St. Clair,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do

pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to regulate the hours of labor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

Mr. Hawley moved that the bill be ordered printed, referred to the committee of the whole, and place on the general order;

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
*Lansing, Jan. 31, 1867.* }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, the following, to-wit:

An act to extend the time for the collection of taxes in the city of Marshall, in the county of Calhoun, for the year 1866;

Also,

An act to legalize the tax roll of the township of Spalding, in the county of Saginaw, for the year 1866;

Also,

An act to extend the time for the collection of taxes in the township of Bangor, in the county of Bay, for the year 1866;

Also,

An act to extend the time for the collection of taxes in the townships of Flint, Genesee, Fenton and Gaines, and the city of Flint, in the county of Genesee, for the year 1866;

Also,

An act to extend the time for the collection of taxes, for the year 1866, in the township of Chesaning, in the county of Saginaw;

Also,

An act to replat a portion of the village of St. Louis, Gratiot county, and to authorize the recording of the same;

Also,

An act to authorize fractional school district number five, of the townships of Brighton and Genoa, in the county of Livingston, to borrow moneys to build a school house;

Also,

An act to correct and legalize the assessment roll of the township of Ravenna, Muskegon county, for the year 1866, and extend the time for the collection of the same;

Also,

An act to extend the time for the collection of taxes in the township of Indian Fields, in the county of Tuscola, for the year 1866;

Also,

An act to extend the time for the collection of taxes in the city of Monroe;

Also,

An act to extend the time for the collection of taxes in the city of Bay City, for the year 1866;

Also,

An act to enlarge the powers and duties of sheriffs, under and deputy sheriffs.

HENRY H. CRAPO.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, February 1, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the townships of Portland and Orange, in the county of Ionia;

2. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Sebawaing, in the county of Huron;

3. House manuscript bill, entitled

A bill to extend the time for the collection of taxes in the township of Dallas, in the county of Clinton, for the year eighteen hundred and sixty-six;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate*

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 1, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 20, entitled

A bill to attach certain unorganized towns to the township of Helena, Antrim county;

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 1, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 45, entitled

A bill to amend section 23, of the revised statutes of 1846, being section 5842 of the compiled laws, and the act amendatory thereof, entitled "An act to amend section 23, of the revised statutes of one thousand eight hundred and forty-six, entitled, 'Of offenses against public justice,' the same being section 5842 of the compiled laws," approved March 20, 1863,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and, referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 1, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House bill No. 10, entitled

A bill to authorize school district number eight, of the town-



ship of Hudson, in the county of Lenawee, to borrow money for the purposes therein mentioned;

2. House bill No. 14, entitled

A bill to amend section two, of an act entitled "an act for the relief of school districts," approved February 7, 1855, and to add two new sections thereto;

3. House bill No. 4, entitled

A bill to authorize fractional school district No. 17, of the townships of Ann Arbor and Scio, in the county of Washtenaw, to borrow moneys to build a school house;

4. House bill No. 15, entitled

A bill to amend section 63, of an act entitled an act to incorporate the city of Battle Creek, approved February 3, 1859, relating to the powers of the common council, to levy and collect taxes,

5. House bill No. 12, entitled

A bill to authorize the city of Battle Creek to borrow money for city purposes, and to issue its bonds for the payment of the same;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 2, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 28, entitled

A bill to re-organize the fifth, eighth and ninth judicial circuits, and to create the fourteenth judicial circuit;

2. Senate bill No. 46, entitled

A bill making an appropriation to pay the arrearages of the Asylum for the Deaf and Dumb, and the Blind, for the years eighteen hundred and sixty-five and eighteen hundred and sixty-six;

3. Senate bill No. 33, entitled

A bill to confer additional powers upon the village of South Saginaw;

4. Senate bill No. 38, entitled

A bill to authorize union school district No. one, of Wyoming and Georgetown, counties of Kent and Ottawa, to borrow money and issue bonds for the purpose of constructing a school building;

5. Senate bill No. 42, entitled

A bill to legalize the assessment and collection of certain school taxes in the township of Victor, in the county of Clinton, for the year 1866, and to authorize school district number one of said township, to issue bonds for school purposes;

5. Senate bill No. 47, entitled

A bill to provide for additional securities from township treasurers, in certain cases;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and,

On motion of Mr. White,

Was placed on the order of third reading.

The third named bill was read a first and second time by its

title, and referred to the committee on banks and incorporations.

The fourth named bill was read a first and second time by its title, and referred to the committee on local taxation.

The fifth named bill was read a first and second time by its title, and referred to the committee on local taxation.

The sixth named bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 2, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 50, entitled

A bill making appropriation to pay the arrearages of the State Reform School for the years eighteen hundred and sixty-five and eighteen hundred and sixty-six;

2. Senate bill No. 51, entitled

A bill to change the name of the trustees, in trust, of the "First Methodist Episcopal Church of Saginaw City," to the "Methodist Episcopal Church of the city of Saginaw;"

3. Senate bill No. 55, entitled

A bill to amend an act entitled "an act to provide for the formation of companies to construct plank roads," approved April 8th, eighteen hundred and fifty-one;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and,

On motion of Mr. Crossman,

Was placed on the order of third reading.

The second named bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

The third named bill was read a first and second time by its title, and referred to the committee on banks and incorporations

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend act number 70, of the session laws of 1865.

Mr. Gallup gave notice that on some future day he would ask leave to introduce

A bill to appropriate swamp lands for opening a channel at the mouth of River Du Fil, in Huron county.

Mr. Willard gave notice that on some future day he would ask leave to introduce

A bill to authorize the graded and high school of the city of Battle Creek, in the county of Calhoun, to issue bonds.

Mr. Boies moved to discharge the committee of the whole from the further consideration of House bill No. 81, entitled

A bill to revise the charter of the village of Hudson;

Which motion prevailed.

On motion of Mr. Boies,

The bill was placed on the order of third reading.

Mr. Howard gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the township of Fabius, St. Joseph county, in raising money for bounty purposes.

Mr. Kingsbury offered the following:

*Resolved*, That the Secretary of State be and he is hereby requested to transmit to this House a list of all Insurance Companies organized in this State, with amount of capital, date of organization, and amount of business done by each.

Mr. White moved to lay the resolution on the table;

Which motion did not prevail.

The resolution was adopted.

Mr. Hopkins gave notice that on some future day he would ask leave to introduce

A bill to equalize State bounty to all soldiers and sailors enlisted from and credited to the quota of this State during the late rebellion.

Also,

A bill to provide for a canal or drain for lowering the waters of Little Black Lake, in the county of Muskegon, and to appropriate swamp lands to aid in the construction thereof;

Also,

A bill to provide for the laying out and establishing of a State road from the terminus of the present State road on the south side of the outlet of Black Lake, in the county of Muskegon, to intersect with another State road in the village of Muskegon, in said county, and to appropriate swamp lands to aid in the construction thereof.

Mr. Newcombe gave notice that on some future day he would ask leave to introduce

A bill to authorize the townships, incorporated villages and cities in the counties of Saginaw, Tuscola, Gratiot and Clinton, to donate or loan money, or pledge their credit, to aid in the construction of plank roads in said counties.

Mr. Hill gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to amend section 1813, being section 15, of chapter 68, of the compiled laws;

Also,

A bill to amend sections two and three, of act No. 148, session laws of 1865, entitled an act to authorize the Marquette & Ontonagon railroad Company, to transfer their interest in a portion of their land grant to the L'Anse & Ontonagon Railroad Company, and to facilitate the constructing of said road.

Mr. Fenton gave notice that on some future day he would ask leave to introduce

A bill to amend act 166, of the session laws of 1855, entitled

an act for the relief of purchasers of, and settlers on swamp lands.

Mr. W. H. Osborn gave notice that on some future day he would ask leave to introduce

A bill to authorize certain townships in this State to establish two or more voting precincts in their townships.

Mr. Chauvin gave notice that on some future day he would ask leave to introduce

A bill to provide against the recovery of damages done by beast or beasts, on lands not enclosed by lawful fences.

Mr. Boies offered the following:

*Resolved*, That the committee on State affairs be and are hereby instructed to inquire into the propriety and expediency of causing the existing highway laws of this State to be compiled and published in a cheap and convenient form, so that they may be readily accessible to commissioners and overseers of highways, and to other persons interested, and that the said committee report to this House, as soon as practicable, by bill, or otherwise;

Which was adopted.

Mr. C. R. Brown gave notice that on some future day he would ask leave to introduce

A bill for the incorporation of Slackwater Navigation companies, and defining their powers and duties.

Mr. Warner gave notice that on some future day he would ask leave to introduce

A bill to amend sections eight and thirty-eight, of chapter one hundred and nine, of the revised statutes of 1846, being chapter one hundred and thirty-five of the compiled laws.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax roll of the township of Hancock, in Houghton county, for the year 1866, and to extend the time for the collection of taxes therein.

Mr. Aitken gave notice that on some future day he would ask leave to introduce

A bill to authorize school district No. 17, of the township of Flint, county of Genesee, to borrow money to build a school-house in said district.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to encourage and direct immigration to this State.

The bill was read a first and second time by its title, and referred to the committee on immigration.

Mr. Woodward, previous notice having been given, and leave being granted, introduced

A bill to authorize the district board of fractional school district number five, of the township of Grass Lake, in the county of Jackson, to issue bonds for the purposes therein mentioned.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Aitken, previous notice having been given, and leave being granted, introduced

A bill to organize union school district of the city of Flint.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Barber, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number seven, of the township of Coldwater, in the county of Branch, to borrow money for the purposes therein mentioned.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Healy, previous notice having been given, and leave being granted, introduced

A bill to authorize the Iron Cliffs Company to acquire and hold lands and to acquire and hold stock in certain companies.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to authorize (graded) school district No. 1, of the township of Leslie, in the county of Ingham, to borrow money for the purposes therein mentioned.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the electors of the city of Flint, in the county of Genesee, in voting aid to the Port Huron and Lake Michigan railroad companies.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Chauvin, previous notice having been given, and leave being granted, introduced

A bill to amend section 1, of chapter 18, of the revised statutes of 1846, being section 605 of the compiled laws, relative to the repair and construction of fences.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Emerson gave notice that on some future day he would ask leave to introduce

A bill to vacate the township of Pewabic, in the county of Ontonagon, and to attach the same to the township of Rockland.

Mr. Miles moved that the committee on State affairs, be discharged from the further consideration of the petition of Henry Johr, late treasurer for the county of St. Clair, praying for relief;

Which motion prevailed.

On motion of Mr. Miles,

The petition was referred to the committee on ways and means.

#### THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 81, entitled

A bill to revise the charter of the village of Hudson,



Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Boies asked and obtained the unanimous consent of the House to amend the bill as follows:

1. Amend section two by inserting in the second line of said section, between the words "next" and "viz," the words "at the engine house in the village of Hudson."

2. Amend by inserting in the 8th line of section six, between the words "or" and "any," the word "by."

3. Amend section 31 by inserting in the 16th line of said section, between the words "restrain" and "and," the words "regulate and license." Also by inserting in the 25th line of said section, between the words "regulate" and "all," the words "and license." Also by inserting in the 53d line of said section, between the words "setting" and "of," the words "and securing."

4. Amend section 36, by striking out in the 4th line of said section, the word "closing," and inserting in lieu thereof the word "opening."

5. Amend section 39, by inserting in the 23d line of said section, between the words "land" and "sold," the words "may be."

6. Amend section 40, by inserting in the 7th line of said section, between the words "determine" and "to," the words "at the annual village election." Also by inserting in the 9th line of said section, between the words "direct" and "exclusive," the words "which amount so determined to be levied shall be."

7. Amend section 41, by inserting in the 3d line of said section, between the words "lunatics" and "are," the words "and other persons who are by law exempt."

8. Amend section 46, by inserting in the 8th line of said section, between the words "village" and "and," the following: "which advertisement shall contain a description of the land, and the name of the owner, if known, and the amount of taxes and expenses for non-payment of which it is to be sold;" also,

by inserting in the 9th line of said section, between the words "village" and "on," the following: "once in each week, for four successive weeks preceding said sale."

9. Amend section 61, by inserting in the 5th line of said section, between the words "therefor" and "which," the following: "which bonds shall be signed by the president, recorder and trustees of said village;" also, by inserting in the 22d line of said section, after the word "ground," the following: "and for making such other improvements as the common council may deem necessary and important should be done, without any further delay; such improvements to be discretionary with the common council;" also, by inserting in the 23d line of said section, after the word "ground," the following: "or to redeem, pay and cancel any bonds of the village that may have been issued in payment for said ground."

10. Amend section 62, by inserting the word "majority" between the words "a" and "vote," in the 6th line of said section.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,  
Alexander,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,  
A S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,

Mr. Haven,  
Healy,  
Hill,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Mallet,  
Mason,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,

Mr. Rockwood,  
Schars,  
Sexton,  
Shetterly,  
Slayton,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Swift,  
Taylor,  
Tompkins,  
Van Vleet,  
Walker,  
Warner,

Emerson,	Newcombe,	White,	
Fellows,	W. H. Osborn,	Wiley,	
Fenton,	F. Parsons,	Willard,	
Gallup,	Parmelee,	Woodward,	
Glavin,	Pearl,	Wright,	
Greenfield,	Randall,	Speaker,	
Grier,	Robinson,		77
	NAYS.		0

Title agreed to.

On motion of Mr. Boies,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. White,

The rule requiring the second and third reading of bills to be on different days, was suspended in order that all bills now on the order of third reading might be put upon their passage.

Senate bill No. 50, entitled

A bill making appropriation to pay the arrearages of the State Reform School, for the years eighteen hundred and sixty-five, and eighteen hundred and sixty-six,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr Aitken,	Mr. Haven,	Mr. Robinson,
Alexander,	Healy,	Rockwood,
Barber,	Hill,	Schars,
Beall,	Hopkins,	Sexton,
Boies,	Howard,	Shetterly,
Bonine,	Huckins,	Slayton.
Brownell,	Jenness,	L. Smith,
A. S. Brown,	Jewell,	R. B. Smith,
C. R. Brown,	J. H. Jones,	E. Spalding,
W. G. Brown,	Kingsbury,	P. S. Spaulding,
Canniff,	Locke,	Spence,
Camburn,	Lockwood,	Stannard,
Chauvin,	Lovell,	Stevens,
Corey,	Mallet,	Storrs,
Crossman,	Mason,	Swift,
Deane,	McCutcheon,	Taylor,
Dunlap,	McKernan,	Tompkins,
Dusseau,	Mead,	Walker,

Eck,	Mickley,	Warner,	
Emerson,	Miles,	White,	
Fellows,	Newcombe,	Wiley,	
Fenton,	W. H. Osborn,	Willard,	
Gallup,	F. Parsons,	Woodward,	
Glavin,	Parmelee,	Woodman,	
Greenfield,	Pearl,	Wright,	
Grier,	Randall,	Speaker,	78
	NAYS.		0

Title agreed to.

On motion of Mr. Willard,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 46, entitled

A bill making an appropriation to pay the arrearages of the Asylum for the Deaf and Dumb, and the Blind, for the years 1865 and 1866,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. White asked and obtained the unanimous consent of the House to amend the bill by inserting the words "of the deaf, dumb and blind asylum," after the word "fund," in the third line.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Healy,	Mr. Rockwood,
Alexander,	Hill,	Schars,
Barber,	Holt,	Sexton,
Beall,	Hopkins,	Shetterly,
Boies,	Howard,	Slayton,
Bonine,	Huckins,	L. Smith,
Brownell,	Jenness,	R. B. Smith,
A. S. Brown,	Jewell,	E. Spalding,
O. R. Brown,	J. H. Jones,	P. S. Spaulding,
W. G. Brown,	Kingsbury,	Spence,
Canniff,	Locke,	Stannard,
Camburn,	Lockwood,	Stevens,
Chauvin,	Lovell,	Storrs,
Corey,	Mallet,	Swift,
Crossman,	Mason,	Taylor,

Deane,	McCutcheon,	Tompkins,	
Dunlap,	McKernan,	Van Vleet,	
Dusseau,	Mead,	Walker,	
Eck,	Mickley,	Warner,	
Emerson,	Miles,	White,	
Fellows,	Newcombe,	Wiley,	
Fenton,	W. H. Osborn,	Willard,	
Gallup,	F. Parsons,	Woodward,	
Glavin,	Parmelee,	Woodman,	
Greenfield,	Pearl,	Wright,	
Grier,	Randall,	Speaker,	
Haven,	Robinson,		80.
	NAYS.		0

Title agreed to.

On motion of Mr. White,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### UNFINISHED BUSINESS,

Being the consideration of the following resolution;

*Resolved*, (the Senate concurring,) That two copies of all public documents printed for the use of the Senate and House of Representatives, be furnished for the library of the State University, the library of the Normal School, and the library of the Agricultural College.

Mr. White moved to amend the resolution by inserting the words "and two copies of the daily journal," after the word "Representatives;"

Pending which,

On motion of Mr. Woodman,

The resolution was referred to the committee on printing.

Also, the following:

*Whereas*, The Legislature has had a recess from Thursday, January 24th, to Wednesday, January 30th;

*And whereas*, It is usual, in case of a recess, for members to draw the same compensation for their arduous duties at bird suppers, &c., during such recess, as if they had been enjoying themselves and performing their pleasant duties as legislators at Lansing; therefore, be it

*Resolved*, (the Senate concurring,) That the pay which the members are entitled to receive, according to section 15, of article 4, of the Constitution, and which they would receive for the time spent in said recess, be paid to the Superintendent of the State Reform School for the benefit of the Reform School library.

On motion of Mr. Swift,

The resolution was laid on the table.

On motion of Mr. Hopkins,

The House adjourned until Monday morning, at 10 o'clock.

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*Lansing, Monday, February 4, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Weed.

Roll called: quorum present.

#### PRESENTATION OF PETITIONS.

By Mr. Kedzie: petition of Dr. J. J. Tyler and 187 others, citizens of Mason, Ingham Co., praying that the University be granted no appropriation unless she appoint a professor of Homeopathy, in the department of medicine.

Referred to the committee on education.

By Mr. Healy: petition of B. C. Ferguson and 93 others, residents of Menominee county, for the organization of a new township in said county.

Referred to the committee on towns and counties.

By Mr. Healy: petition of E. S. Ingalls and 40 others, for a State road in Menominee county.

Referred to the committee on roads and bridges.

By Mr. Parker: petition of the common council of the village of Dexter, and 32 others, praying for an amendment of the charter of said village.

Referred to the committee on banks and incorporations.

By Mr. F. Parsons: petition of Charles Betts and 40 others,

praying that no appropriation be made for the Agricultural College, and that the lands granted to this institution be transferred to the Reform School.

Referred to the committee on education.

By Mr. F. Parsons: petition of Wm. C. Bryant and 22 others, praying for an extension of time for the completion of the Indiana and Grand Rapids railroad.

Referred to the committee on internal improvements.

By Mr. Mickley: remonstrance of Ohas. Cannon, Edward Cannon and 129 others, citizens of the township of Blissfield, against the proposed division of that town.

Referred to the committee on towns and counties.

By Mr. C. R. Brown: petition of A. H. Morrison, B. C. Hoyt, I. E. Stevens, C. Boughton, F. H. Stevens and 150 others, praying for an act to authorize the counties, cities and townships, along the line of the Chicago and Michigan Grand Trunk railroad to aid in the construction of said road.

Also, petition of A. H. Morrison, C. Boughton, S. G. Langley, A. L. Aldrich and 175 others, for an enabling act, authorizing villages and townships in Berrien county, to aid in constructing a railroad from St. Joseph to the Indiana State line.

Referred to the committee on internal improvements.

By Mr. Camburn: petition of J. P. Beers, A. S. French and 40 others, citizens of Montcalm county, praying for a law to allow certain towns in Ionia and Montcalm counties to take stock in the Ionia and Stanton plank road.

Referred to the committee on banks and incorporations.

By Mr. Aitken: petition of E. M. Tupper and 25 others, taxpayers of school district No. 17, of the township of Flint, Genesee county, for authority to borrow money to build a school-house.

Referred to the committee on local taxation.

By Mr. Deane: petition of E. E. Benedict and 46 others, citizens of Mason county, for a road, and land to construct the same;

Also, petition of Richard Rayne and 59 others, for the same purpose.

Referred to the committee on public lands.

By Mr. Deane: petition of Walter H. Churchill, Amos B. Wheeler and 55 others, asking that the name of the town of Benona be changed to that of Shelby, and the name of the town of Le Roy be changed to that of Benona.

Referred to the committee on towns and counties.

By Mr. Gallup: petition of Frederick Schilling and 77 others asking aid to open and improve a channel at the mouth of river Du Fil.

Referred to the committee on harbors.

By Mr. Dunlap: petition of citizens of North and South Manitou Islands, for annexation to Leelanaw county.

Referred to the committee on towns and counties.

By Mr. Dunlap: petition of citizens of Traverse City for a State road to Midland City;

Also, petition of W. W. Barton and others, for the same purpose;

Also, petition of F. B. Van Patten, Jr., and others, for the same purpose;

Also, petition of W. A. Nickerson and others, for the same purpose;

Also, petition of Wm. Monroe and others, for the same purpose.

Referred to the committee on public lands.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend sections one and two, of an act entitled "an act to lay out and establish a State road in the counties of Mecosta, Osceola and Missaukee, and to appropriate certain non-resident highway taxes thereon," approved February 15th, 1865, and to add a new section thereto,

Together with a petition from C. C. Fuller and others, praying



for the passage of the bill, respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Deane,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on bounties.

The committee on bounties, to whom was referred the petition of John W. Sharp and 63 others, citizens and tax-payers of the township of Brooklyn, in the county of Jackson, to authorize the said township to raise money to pay Walker B. Sherman, George P. Cook and Ira Wildman for money advanced to said township; and also,

A bill to authorize the said township to vote a tax to pay the said several sums of money set forth in said petition,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

C. R. BROWN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on education:

The committee on the education, to whom was referred

A bill to organize union school district of the city of Flint,  
And also a petition praying for the passage of the same,

respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to prevent frauds and impositions upon school districts,  
And also the petition of Justus Gage and 24 others, praying for the passage of the same, respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Randall,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred the following resolutions:

*Whereas*, It is evident that the Congress of the United States is about to alter or amend the tariff laws of said United States;

*And Whereas*, The great interests of Michigan, viz: agriculture, minerals and lumber, will be greatly enhanced or impeded in proportion to the amount of duties imposed upon such

articles as come in competition with the products of this State; therefore,

*Be it resolved*, By this House, (the Senate concurring,) That our Senators in Congress be instructed, and our Representatives be requested to vote for and use their influence to procure the passage of such a law as will give the people of this State a greater protection from foreign competition on the agricultural and manufacturing interests of this State.

*And be it further resolved*, That the people of this State will be satisfied with nothing less than the passage of the tariff bill that passed the House of Representatives the first session of the 39th Congress, and was laid on the table by the Senate of that body until the second session of said 39th Congress.

*Be it further resolved*, That in the event of the passage of these resolutions, the Clerk of this House be requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the following amendment: strike out the second resolution, recommending that the amendment be concurred in, and that the resolution when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. E. MICKLEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Rockwood,

The House concurred in the amendments made to the resolutions by the committee.

On motion of Mr. Newcombe,

The resolutions were laid on the table.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution relative to restoration,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the farther consideration of the subject.

C. E. MICKLEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Woodman,

The joint resolution was ordered printed, and made the special order for Wednesday afternoon, at 2 o'clock.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred so much of his Excellency, Governor Crapo's message, as relates to the Sault St. Mary's Falls ship canal,

Respectfully report that they have had the same under consideration, and have directed me to report herewith a bill, entitled

A bill to authorize the board of control, created by the act entitled an act to provide for the collection of tolls, and for the care, charge, and operating of the Sault St. Mary's Falls ship canal, to repair and improve the same,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to provide for the drainage and reclamation of swamp lands, by lowering the bed of the south branch of Swan Creek, in the township of Richland, in the county of Saginaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Jenness,

The bill was laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the district board, of fractional school district number five, of the township of Grass Lake, in the county of Jackson, to issue bonds for the purposes therein mentioned,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize school district number seven, of the township of Coldwater, in the county of Branch, to borrow money for the purpose therein mentioned,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize graded school district number one, of the

township of Leslie, in the county of Ingham, to borrow money for the purpose therein mentioned,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate bill No. 42, entitled

A bill to legalize the assessment and collection of certain school taxes, in the township of Victor, in the county of Clinton, for the year 1866, and to authorize school district number one, of said township, to issue bonds for school purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate bill No. 38, entitled

A bill to authorize union school district number one, of Wyoming and Georgetown, counties of Kent and Ottawa, to borrow money and issue bonds, for the purpose of constructing a school building,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the town board of the township of Eureka, in the county of Montcalm, to issue their bonds for the purpose therein mentioned,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize the township of Eureka, in the county of Montcalm, to issue the bonds of said township for the purpose therein mentioned,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Camburn,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

Joint resolution authorizing the Governor to relinquish the right of the State of Michigan to the United States in certain lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the laying out and establishing of a State road from the township of Chesaning to the township of Spalding, in the county of Saginaw, and to appropriate swamp lands to aid in the construction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the drainage and reclamation of swamps, marshes, and other low lands, by means of a State road, to be known as the Van Buren county State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject. •

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:



The committee on ways and means, to whom was referred Senate bill No. 47, entitled

A bill to provide for additional sureties from township treasurers in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 55, entitled

A bill to amend an act to provide for the formation of companies to construct plank roads, approved April 8th, 1851,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No 33, entitled

A bill to confer additional powers upon the village of South Saginaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass

and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 14, entitled

A bill to amend an act entitled "an act to incorporate the city of Marshall," approved Feb. 14th, 1859, relative to the jurisdiction of justices of the peace;

Also, a remonstrance of certain citizens of the city of Marshall, against the said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Randall,

The bill was referred to the committee of the whole, and placed on the general order.

The remonstrance was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was recommitted House bill No. 65, entitled

A bill to amend act No. 38, of the session laws of 1865, entitled "an act to amend section 579 of the compiled laws, requiring commissioners and overseers of highways to give bonds,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so

amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Miles,

The House concurred in the amendment made to the bill by the committee.

The bill having been read a third time, and the question being upon its passage,

The bill passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Sexton,
Barber,	Hopkins,	Shetterly,
Beall,	Howard,	Slayton,
Boies,	Huckins,	L. Smith,
Bonine,	Jenness,	R. B. Smith,
Brownell,	Jewell,	E. Spalding,
A. S. Brown,	J. H. Jones,	P. S. Spaulding,
C. R. Brown,	Kedzie,	Spence,
W. G. Brown,	Kingsbury,	Stannard,
Canniff,	Locke,	Stevens,
Camburn,	Lockwood,	Storrs,
Corey,	Lovell,	Swift,
Crossman,	Mallet,	Taylor,
Deane,	Mason,	Tompkins,
Dunlap,	McCutcheon,	Upton,
Dusseau,	McKernan,	VanVleet,
Eck,	Mead,	Walker,
Emerson,	Mickley,	Warner,
Fellows,	Miles,	Wells,
Fenton,	Newcombe,	White,
Gallup,	W. H. Osborn,	Wilcox,
Glavin,	Parker,	Wiley,
Greenfield,	F. Parsons,	Willard,
Grier,	Parmelee,	Woodward,
Haven,	Pearl,	Woodman,
Hawley,	Robinson,	Wright,
Healy,	Rockwood,	Speaker,
Hill,	Schars,	

88

#### NAYS.

Mr. Alexander,	Mr. Randall,	Mr. Wilson,
Chauvin,		

Title agreed to.

On motion of Mr. Woodman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on immigration:

The committee on immigration, to whom was referred

A bill to encourage and direct immigration to this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. K. NEWCOMBE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, Feb. 1, 1867. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, the following, to wit:

An act to amend section 1282, of the compiled laws, relating to limited partnerships.

HENRY H. CRAPO.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Feb. 4, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 1, entitled

Joint resolution asking the General Government for a grant

of land, to aid in the construction of the Mineral Range railroad;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 4, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No 54, entitled

A bill to amend sections 12, 22, 28, 31, 41, 53, 55, 98, 107, 109, 137 and 140, of chapter fifty-eight, of the revised statutes of eighteen hundred and forty-six, being sections 2255, 2265, 2271, 2274, 2284, 2296, 2298, 2322, 2341, 2350, 2352, 2378, 2381, of the compiled laws, and section 14, of an act entitled "an act for the relief of school districts," approved Feb. 7, 1855, being section 2412 of the compiled laws;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on education.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 4, 1867. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 49, entitled

A bill to provide for the protection and preservation of fish in the lakes, ponds, rivers and creeks, in the counties of Oakland, Genesee, Livingston, Cass, Hillsdale and Lenawee;

2. Senate manuscript bill, entitled

A bill for the relief of school district No. 1, in the township of Oronoko, in the county of Berrien;

3. Senate manuscript bill, entitled

A bill to repeal an act entitled an act to incorporate the Monroe and Erie Plank Road Company, approved April 3d, 1848, and the act amendatory thereof, approved February 16, 1849;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on fisheries.

The second named bill was read a first and second time by its title, and referred to the committee on education.

The third named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. L. Smith gave notice that on some future day he would ask leave to introduce

A bill to authorize any of the counties, townships, cities or incorporated villages, on a proposed line from the city of Lan-

sing, running north to some point at or near Mackinaw, to vote a tax, or pledge their credits to aid in the construction of a railroad.

Mr. Deane offered the following:

*Resolved*, That the judiciary committee be instructed to examine the laws relating to homesteads and improvements upon homestead lands, in relation to the taxation thereof, and if in the opinion of the committee any legislation is necessary, in order that the same may be taxed;

Which was adopted.

Mr. Wilson offered the following:

*Resolved*, That the committee on the judiciary, be and they are hereby instructed to report to this House, the expediency of a law to restore the death penalty, for the crime of murder in the first degree;

Which was adopted.

Mr. Alexander gave notice that on some future day he would ask leave to introduce

A bill to extend the time for collecting the drain tax in the township of Olive, Clinton county;

Also,

A bill to legalize the action of the township of Riley, Clinton county, in raising bounties for volunteers, and to authorize them to refund money advanced to volunteers.

Mr. Swift offered the following:

*Whereas*, Some discontent is manifest in the State in regard to the management and results of the Agricultural College; therefore, be it

*Resolved*, That the committee on agriculture be requested to ascertain and report to this House, whether the grants of land, by the State and the United States, together with the College farm, may not be so used as to provide for the support of the College, and whether any change is necessary in the law governing that Institution; and if not,

*Be it further resolved*, That it is the sense of this House, that the current expenses of the College must be reduced, and that

the management of the farm and stock must be much improved, or the present discontent will grow to an imperative demand that the Institution be abandoned.

Mr. Woodman moved to amend the resolutions by striking out the word "agriculture," in the first resolution, and inserting the word "education" in lieu thereof;

The amendment was accepted.

The question being upon the ad option of the resolutions,

Mr. Woodman called for a division of the question, that the question might be taken on the resolutions separately.

The first resolution was then adopted.

Mr. Crossman moved to lay the second resolution on the table.

Mr. Hawley demanded the yeas and nays.

The demand was seconded, and the motion to lay on the table prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Schara,
Alexander,	Howard,	Slayton,
Barber,	Huckins,	L. Smith,
Boies,	Jenness,	R. B. Smith,
Bonine,	Kedzie,	Spence,
A. S. Brown,	Kingsbury,	Stannard,
C. R. Brown,	Locke,	Stevens,
Canniff,	Lockwood,	Storrs,
Camburn,	Lovell,	Taylor,
Corey,	Mallet,	Tompkins,
Crossman,	Mason,	Upton.
Deane,	McCutcheon,	Van Vleet,
Eck,	McKernan,	Walker,
Fellows,	Mead,	Wells,
Fenton,	Micklely,	White,
Gallup,	Miles,	Wilcox,
Glavin,	Newcombe,	Wiley,
Grier,	W. H. Osborn,	Willard,
Healy,	Parmelee,	Woodman,
Hill,	Randall,	Wright,
Holt,	Rockwood,	Speaker, 63

#### NAYS.

Mr. Beall,	Mr. Haven,	Mr. Sexton,
Brownell,	Hawley,	Shetterly,
W. G. Brown,	Jewell,	E. Spalding,



Chauvin,	J. H. Jones,	P. S. Spaulding,
Dunlap,	Parker,	Swift,
Dusseau,	F. Parsons,	Warner,
Emerson,	Pearl,	Wilson,
Greenfield,	Robinson	Woodward, 24

Mr. Barber gave notice that on some future day he would ask leave to introduce

A bill to provide for the re-survey and re-platting of the city of Coldwater.

Unanimous consent being given, the committee on education submitted the following report:

The committee on education, to whom was referred Senate manuscript bill, entitled

A bill for the relief of school district number one, in the township of Oronoko, in the county of Berrien,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman*

Report accepted and committee discharged.

On motion of Mr. C. R. Brown,

The bill was placed on the order of third reading.

Mr. Healey gave notice that on some future day he would ask leave to introduce

A bill to provide for laying out and establishing a State road in the county of Menominee;

Also,

A bill to organize the township of Ingallston, in the county of Menominee.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to organize union school district No. one, of the township of Alpena, in Alpena county, and to authorize said school district to issue bonds for school-house purposes.

Mr. A. S. Brown gave notice that on some future day he would ask leave to introduce

A bill to change the name of Elsie J. McNitt to Elsie J. Enos.

Mr. Hill gave notice that on some future day he would ask leave to introduce

A bill to amend an act imposing a specific tax upon corporations and chartered companies engaged in the business of mining, smelting and refining ores in this State, approved March 10, 1865;

Also,

Joint resolution asking Congress for a grand of lands to aid in the construction of a railroad from the iron region of Lake Superior to the Straits of Mackinaw.

Mr. Newcombe offered the following:

*Resolved*, That the committee on the judiciary, be instructed to ascertain what legislation is necessary, to secure from foreign insurance companies doing business in this State, a full compliance with the laws of this State, regulating the same, with leave to report by bill or otherwise;

Which was adopted.

Mr. Boies gave notice that on some future day he would ask leave to introduce

A bill to authorize any of the townships or municipalities of the counties of Jackson, Lenawee and Hillsdale, to pledge their credit, to aid in the construction of a railroad from the city of Jackson, by the way of the villages of Addison and Hudson, and the township of Medina, to some point in Ohio, connecting with the Atlantic and Great Western railroad.

Mr. Fellows offered the following:

*Resolved*, That the Auditor General be requested to communicate to this House, for its information, the several annual reports for the years 1863 and 1864, made to himself as required by law, by the corporation known as the Grand Rapids and Indiana railroad company;

Which was adopted.

Mr. Newcombe gave notice that on some future day he would ask leave to introduce

A bill to amend section 8, of act No. 231, of the session laws of 1863, relative to proceedings by garnishment.

Mr. Gallup gave notice that on some future day he would ask leave to introduce

Joint resolution requesting our Senators and Representatives in Congress to use all honorable means to obtain the passage of a protective tariff on importations of copper, iron, lumber and wool, and articles manufactured therefrom.

Mr. Miles gave notice that on some future day he would ask leave to introduce

Joint resolution for the relief of Henry Johr, John E. Kitton, John Canan and Francis Krouse.

Mr. Glavin gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Berrien Springs, Berrien county.

Mr. Van Vleet gave notice that on some future day he would ask leave to introduce

A bill granting swamp lands to the counties of Genesee and Shiawassee, to aid in cutting drains through a certain swamp in said counties.

Mr. McKernan, unanimous consent being given, introduced

A bill to legalize the tax-roll of the township of Hancock, in Houghton county, for the year 1866, and to extend the time for the collection of taxes therein.

The bill was read a first and second time by its title, and, On motion of Mr. McKernan,

Was placed on the order of third reading.

Mr. Fellows offered the following:

*Resolved*, That when this House adjourn, it adjourn to meet at nine o'clock A. M., until further ordered;

Which was not adopted.

Mr. Newcombe offered the following:

*Resolved*, That any legislation looking to a diversion of the

swamp lands donated to the State by the general government for the purposes of drainage and reclamation, or of any part of the proceeds of sales thereof, from the purposes expressed in the act of Congress granting the same, as interpreted by the past legislation of this State, would be a violation of the obligation assumed by the State in accepting the grant;

Which was adopted.

Mr. Deane gave notice that on some future day he would ask leave to introduce

Joint resolution asking Congress for a grant of money to aid in the construction of a harbor at Pentwater, Oceana county.

Mr. Holt gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the laying out, establishment and improvement of a road from Muskegon Lake to the north line of Mason county, and to appropriate swamp lands therefor.

Mr. Boies offered the following:

*Resolved*, That hereafter, during the present session of this Legislature, no bills making appropriation of public money, lands or other public property, shall be placed upon the order of third reading in this House, until they have been reported on by a standing committee of this House, and have been considered in committee of the whole;

Which was adopted.

Mr. Deane, unanimous consent being given, introduced

A bill to change the name of the township of Benona to that of Shelby, and the name of the township of LeRoy to that of Benona.

The bill was read a first and second time by its title, and referred to the committee on towns and counties. j

Mr. Mead, unanimous consent being given, introduced

A bill relative to the supreme court.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Corey, unanimous consent being given, introduced

A bill to amend sections 1, 2, 3, 5, 12, 13, 21 and 25, of act No. 93, of the session laws of 1855, entitled "an act to incorporate the village of Dexter."

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Jenness, previous notice having been given, and leave being granted, introduced

A bill to regulate the manner of electing the trustees composing the district board of school district No. 4, in the city and township of Ypsilanti, and to define the qualifications of electors therefor.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Storrs, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Nunica, in Ottawa county, to Muskegon, in Muskegon county, to be known as the Nunica and Muskegon State road."

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Hill, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to amend section 1813, being section 15, of chapter 63, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hopkins, previous notice having been given, and leave being granted, introduced

A bill to provide for the laying out and establishing a State road from the terminus of the present State road, on the south side of the outlet of Black Lake, in the county of Muskegon, to intersect with another State road, in the village of Muskegon, in said county, and to appropriate swamp land to aid in the construction thereof.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Hopkins, previous notice having been given, and leave being granted, introduced

A bill to provide for a canal or drain for lowering the waters of little Black Lake, in the county of Muskegon, and to appropriate swamp land to aid in the construction thereof.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Brownell, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number two, of the township of Lapeer, in Lapeer county, to borrow money for the purposes therein mentioned.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Fenton, previous notice having been given, and leave being granted, introduced

Joint resolution calling the attention of Congress to the great national importance of fortifying the Island of Mackinac, and the Sault Ste Marie, at the falls of Ste. Marie.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. E. Spalding, previous notice having been given, and leave being granted, introduced

A bill to provide that bodies of deceased convicts and others, under certain restrictions, when given to anatomical professors for dissection, be used in this State only, for the purpose of advancing the science of medicine in the medical department of the University of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to authorize the townships, incorporated villages, and cities, in the counties of Saginaw, Tuscola, Gratiot and Clinton,

to donate or loan moneys, or pledge their credit, to aid in the construction of plank roads in said counties.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Kingsbury, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 108 of compiled laws, relative to divorce, being chapter 84, of the revised statutes of 1846.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Willard, previous notice having been given, and leave being granted, introduced

A bill to authorize the graded and high school, of the city of Battle Creek, in the county of Calhoun, to issue bonds.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to provide for the further improvement of the East Saginaw and Sauble river, and the Duncan, Alpena and Sauble river State roads.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Howard, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the township board of Fabius, St. Joseph county, in raising money for bounty purposes.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. Gallup, previous notice having been given, and leave being granted, introduced

A bill to appropriate swamp lands for opening a channel at the mouth of river Du Fil, in Huron county.

The bill was read a first and second time by its title, and referred to the committee on harbors.

Mr. C. R. Brown, previous notice having been given, and leave being granted, introduced

A bill to provide for the incorporation of Slackwater navigation companies, and defining their powers and duties.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Glavin, previous notice having been given, and leave being granted, introduced

Joint resolution asking Congress for an appropriation in money, to aid in the construction of a harbor at New Buffalo, Berrien county.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Aitken, previous notice having been given, and leave being granted, introduced

A bill to authorize school district No. 17, of the township of Flint, in the county of Genesee, to borrow money for the purposes therein mentioned.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Jewell, previous notice having been given, and leave being granted, introduced

A bill to amend section 3, of act No. 336, of the session laws of 1865, the same being an act to provide for the drainage and reclamation of swamp lands, at the headwaters of Rogue river, in the counties of Kent and Newaygo, by means of ditching and deepening the channel of said river.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Riverside, in the county of Wayne.

Mr. C. R. Brown gave notice that on some future day he would ask leave to introduce



Joint resolution asking the general government to appropriate money to improve the navigation of the St. Joseph river.

MESSAGE FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, February 4, 1867. }

*To the House of Representatives :*

I am prepared to submit nominations to the joint convention of the two Houses, whenever it shall suit their convenience to assemble for the purpose of receiving them.

HENRY H. CRAPO.

The message was laid on the table.

THIRD READING OF BILLS AND RESOLUTIONS.

On motion of Mr. McKernan,

The rule requiring the second and third reading of bills to be on different days, was suspended, in order that the bills now on the order of third reading might be put upon their passage.

Senate manuscript bill, entitled

A bill for the relief of school district No. 1, in the township of Oronoko, in the county of Berrien,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Shetterly,
Alexander,	Howard,	Slayton,
Barber,	Huckins,	L. Smith,
Beall,	Jenness,	R. B. Smith,
Boies,	Jewell,	E. Spalding,
Bonine,	J. H. Jones,	P. S. Spaulding,
Brownell,	Kedzie,	Spence,
A. S. Brown,	Kingebury,	Stannard,
C. R. Brown,	Locke,	Stevens,
W. G. Brown,	Lockwood,	Storrs,
Canniff,	Lovell,	Swift,
Camburn,	Mallet,	Taylor,
Chauvin,	Mason,	Tompkins,
Corey,	McCutcheon,	Upton,
Crossman,	McKernan,	Van Fleet,
Dunlap,	Mead,	Walker,

Dusseau,	Mickley,	Warner,
Eck,	Newcombe,	Wells,
Emerson,	W. H. Osborn,	White,
Fellows,	F. Parsons,	Wilcox,
Fenton,	Parmelee,	Wiley,
Gallup,	Pearl,	Willard,
Glavin,	Randall,	Wilson,
Greenfield,	Robinson,	Woodward,
Grier,	Rockwood,	Woodman,
Healy,	Schavs,	Wright,
Hill,	Sexton,	Speaker,
Holt,		

82

NAYS.

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Title agreed to.

On motion of Mr. C. R. Brown,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to legalize the tax roll of the township of Hancock, in Houghton county, for the year 1866, and to extend the time for the collection of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Howard,	Mr. Shetterly,
Alexander,	Huckins,	Slayton,
Barber,	Jenness,	L. Smith,
Beall,	Jewell,	E. Spalding,
Boies,	J. H. Jones,	P. S. Spaulding,
Bonine,	Kedzie,	Spence,
Brownell,	Kingsbury,	Stannard,
A. S. Brown,	Locke,	Stevens,
W. G. Brown,	Lockwood,	Storrs,
Canniff,	Lovell,	Swift,
Camburn,	Mallet,	Taylor,
Chauvin,	Mason,	Tompkins,
Corey,	McCrutcheon,	Upton,
Crossman,	McKernan,	Van Fleet,
Dusseau,	Mickley,	Walker,
Eck,	Newcombe,	Warner,
Emerson,	W. H. Osborn,	Wells,
Fellows,	Parker,	White,
Fenton,	F. Parsons,	Wilcox,

Glavin,	Parmelee,	Wiley,	
Greenfield,	Pearl,	Willard,	
Grier,	Randall,	Wilson,	
Healy,	Robinson,	Woodward,	
Hill,	Rockwood,	Woodman,	
Holt,	Schars,	Wright,	
Hopkins,	Sexton,	Speaker,	78

## NAYS.

Mr. Dunlap, 1

Title agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. White, unanimous consent being given, offered the following:

*Resolved*, (the Senate concurring,) That the House of Representatives will meet the Senate in joint convention, to act on nominations by the Governor, on Thursday next, February 7th, at three o'clock P. M.

Laid on the table for one day, under the rules.

On motion of Mr. Woodman,

The House took a recess until two o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Fellows, by unanimous consent, moved to discharge the committee of the whole from the further consideration of Senate bill No. 7, entitled

A bill to establish and organize school district number thirteen, in the township of Oshtemo, county of Kalamazoo, and State of Michigan;

Which motion prevailed.

On motion of Mr. Fellows,

The bill was put upon its immediate passage.

The bill was read a third time, and pending the taking of the vote on the passage thereof,

Mr. White moved to strike out all after the enacting clause; Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Schars,
Alexander,	Hopkins,	Shetterly,
Barber,	Howard,	L. Smith,
Beall,	Jenness,	R. B. Smith,
Boies,	Jewell,	E. Spalding,
Bonine,	J. H. Jones,	Spence,
Brownell,	Kingsbury,	Stevens,
A. S. Brown,	Locke,	Swift,
C. R. Brown,	Lockwood,	Taylor,
Canniff,	Mallet,	Tompkins,
Camburn,	Mason,	Upton,
Deane,	McCutcheon,	Van Vleet,
Dunlap,	McKernan,	Walker,
Dusseau,	Mead,	Warner,
Eck,	Mickley,	White,
Fellows,	Miles,	Wilcox,
Fenton,	Newcombe,	Wiley,
Gallup,	W. H. Osborn,	Willard,
Glavin,	Parker,	Wilson,
Grier,	F. Parsons,	Woodward,
Haven,	Parmelee,	Woodman,
Healy,	Robinson,	Speaker,
Hill,	Rockwood,	

68

## NAYS.

Mr. W. G. Brown,	Mr. Huckins,	Mr. Slayton,
Chauvin,	Lovell,	P. S. Spaulding,
Corey,	Pearl,	Stannard,
Crossman,	Randall,	Storrs,
Greenfield,	Sexton,	Wright,
Hawley,		

16

Title agreed to.

On motion of Mr. Willard,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## SPECIAL ORDER OF THE DAY,

Being the consideration of the following resolutions:

*Whereas*, There are many thousands of acres of valuable lands called "railroad lands," which are mainly located in the most recently settled portion of the State, and have been withheld from sale for about ten years past, greatly to the hindrance of the settlement of the country, the laying out and construction of roads, the organization and maintenance of schools and churches, and the full development of the wealth of the State, and which withholding from sale of said lands is a just cause of complaint by the people where they are located;

*And whereas*, A sale of those lands at public auction, to the highest bidder, after due public notice, would open them to settlement, and secure their full value for the construction of the contemplated railroads, without sacrifice, and thus greatly promote the settlement, growth and development of the State, and hasten the construction of the railroads, for which purpose, they were generously donated by the United States, and thus remove all cause of complaint above alluded to; therefore,

*Resolved*, (The Senate concurring,) That our Senators in Congress be and they are hereby instructed, and our Representatives, (in Congress,) requested to vote for, and use their influence to obtain the passage of a law by Congress, allowing the railroad lands of this State to be publicly advertised and sold at public vendue, to the highest bidder, in the usual Government subdivisions, at the respective land offices where located, provided no bid shall be received at less than \$4 per acre, and all lands not thus sold, to be subject to private entry after such public sale, at \$4 per acre, and the proceeds of all such lands to be retained in trust for the construction of the respective railroads for which they were donated, and to be paid over to them when they are entitled to the same, on the same terms and conditions as the lands would have been made over to them, had they not been sold: *Provided*, The same can be done

without any violation of plighted faith on the part of Congress; and be it further

*Resolved*, That the Governor be authorized and requested to forward a copy of these preamble and resolutions, properly signed by the President of the Senate and Speaker of the House of Representatives, to each of our Senators and Representatives in Congress, immediately after the passage of the same.

Mr. Hopkins offered the following, as a substitute therefor:

*Whereas*, There are over two millions of acres of valuable lands called "railroad lands," which are mainly located in the most recently settled portion of the State, and have been withheld from sale for about ten years past, greatly to the hindrance of the settlement of the country, the laying out and construction of roads, the organization and maintenance of schools and churches, and the full development of the wealth of the State, and which withholding from sale of said lands is a just cause of complaint by the people where they are located;

*And whereas*, A sale of those lands at public auction, to the highest bidder, after due public notice, would open them to settlement, and secure their full value for the construction of the contemplated railroads, without sacrifice, and thus greatly promote the settlement, growth, and development of the State, and hasten the construction of the railroads, for which purpose they were generously donated by the United States, and thus remove all cause of complaint above alluded to; therefore,

*Resolved*, (The Senate concurring,) That our Senators in Congress be and they are hereby instructed, and our Representatives, (in Congress,) requested to vote for, and use their influence to obtain the passage of a law by Congress, allowing the railroad lands of this State to be publicly advertised and sold at public vendue, to the highest bidder, in the usual Government subdivisions, at the respective land offices where located, provided no bid shall be received less than \$4 per acre, and all lands not thus sold, to be subject to private entry after such public sale, at \$4 per acre, and the proceeds of all such

lands to be retained in trust for the construction of the respective railroads for which they were donated, and be paid over to them when they are entitled to the same, on the same terms and conditions as the lands would have been made over to them, had they not been sold: *Provided*, The same can be done without any violation of plighted faith on the part of Congress, or of this State, and without disturbing the present vested rights: *And provided further*, That in such sales preference shall be given to actual settlers, and that no one person be allowed to purchase more than 320 acres of such lands.

*And be it further resolved*, That the Governor be authorized and requested to forward a copy of these preamble and resolutions, properly signed by the President of the Senate, and Speaker of the House of Representatives, to each of our Senators and Representatives in Congress, immediately after the passage of the same;

Which was adopted.

On motion of Mr. Hopkins,

The resolutions were made the special order for to-morrow, after the consideration of Senate bill No. 15, now on the special order for to-morrow afternoon at 2 o'clock.

MESSAGE FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,  
Lansing, February 4, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved*, By the Senate, (the House concurring,) That the two Houses meet in joint convention to consider any nominations the Governor may be pleased to make, on Wednesday next, at 10 o'clock A.M.;

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. Woodman,

The House concurred in the adoption of the resolution.

GENERAL ORDER.

On motion of Mr. Barber,

The House went into committee of the whole, on the general order,

Mr. Mead in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 21, entitled

A bill to amend certain sections of an act, entitled "an act to repeal chapter one hundred and twenty-two, of the revised statutes of eighteen hundred and forty-six, and the amendments thereto, and provide for the collection of demands against water craft," approved February fifth, eighteen hundred and sixty-four;

2. House bill No. 38, entitled

A bill to amend section one, of an act entitled "an act relative to laying out, altering and discontinuing highways," approved March 15, 1861;

3. House bill No. 43, entitled

A bill to amend section 12, of chapter 47, of the revised statutes of 1846, being section 1614 of the compiled laws;

4. House bill No. 66, entitled

A bill to authorize the board of trustees of the village of Galesburgh, to cause a re-survey and plat of said village to be made and recorded, and to assess and collect the necessary tax therefor;



## 5. House bill No. 44, entitled

A bill to amend an act entitled an act to establish a police government for the city of Detroit, and to add two new sections thereto;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

## 6. House bill No. 71, entitled

A bill making Appropriation to pay the arrearages of the State Reform School for the years 1865 and 1866;

And have directed their chairman to report the same back to the House without action.

ELISHA F. MEAD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hopkins,

The amendments made to the first, second, third, fourth and fifth named bills were concurred in, *in gross*.

On motion of Mr. Van Vleet,

The several bills were placed on the order of third reading.

On motion of Mr. Woodman,

The last named bill was laid on the table.

On motion of Mr. Barber,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Tuesday, February 5, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

Absent at roll-call, without leave, Mr. Hawley.

Mr. Haven asked and obtained leave of absence for Mr. Hawley, on account of sickness.

## PRESENTATION OF PETITIONS.

By Mr. Shepherd: petition of Orin Brown and 50 others, citizens of Martin township, Allegan county, asking for the extension of the land grant to the Grand Rapids and Indiana railroad company.

Referred to the committee on internal improvements.

By Mr. Jenness: petition of James T. Campbell and 39 others, citizens of the village of Belville, Van Buren county, for the vacating of certain alleys in school district No. 4, for school building purposes.

Referred to the committee on banks and incorporations.

By Mr. Jenness: petition of S. M. Cutcheon, E. Batwell, C. Joslin and 49 others, citizens of Ypsilanti and vicinity, praying for an act to regulate the practice of dentistry, in the State of Michigan.

Referred to the committee on education.

By Mr. Benedict: petition of H. Benedict, S. Griggs, H. Hallock, S. K. Taft and 16 others, citizens of Detroit, praying the Legislature to protect the people of the State of Michigan from injury by incompetent dental practitioners.

Referred to the committee on education.

By Mr. Ball: petition of S. D. Bois, M. D., and 23 others, citizens of Unadilla, Livingston county, praying for a law requiring the registration of births, deaths and marriages.

Referred to the committee on State affairs.

By Mr. Ball: petition of P. L. Reed, Dennis Shields, A. Riddle and 24 others, citizens of Livingston county, praying that a law be passed increasing the pay of highway commissioners.

Referred to the committee on ways and means.

By Mr. Ball: petition of H. C. Hause, Daniel Marsh, Ira W. Case and 32 others, citizens of Brighton, Livingston county, praying for the incorporation of the village of Brighton.

Referred to the committee on banks and incorporations.

By Mr. Brownell: petition of M. O. Kinney and 21 others, citizens of Lapeer county, praying for the passage of a law

to provide for the registration and return of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Kingsbury: remonstrance of J. Blake, O. Reed, Mark Hook and 90 others, against the passage of a law prohibiting stock running at large.

Referred to the committee on agriculture.

By Mr. Shetterly: memorial of the northeastern district medical society, embracing the counties of Oakland, Lapeer, Macomb, St. Clair and Sanilac, for the passage of a law for the registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Dusseau: petition of Dr. J. L. Valade and eight others, residents of Monroe county, praying for the passage of a law to provide for the registration and return of marriages, births and deaths.

Referred to the committee on State affairs.

By Mr. Dunlap: petition of W. W. Barton and 14 others, citizens of Leelanaw county, for a State road in said county.

Referred to the committee on public lands.

By Mr. Upton: petition of C. Van Horn, Horace J. Morrill, G. Fifield and 192 others, citizens and tax-payers of the township of Blackman, in the county of Jackson, praying the Legislature to pass an act authorizing said township to raise by tax, the sum of \$2,000, to repay C. Van Horn and 19 others, for such an amount loaned said township, to aid in filling the quota of said township, upon the call of the President for troops during the fall and winter of 1864 and 1865.

Referred to the committee on bounties.

By Mr. Hopkins: remonstrance of J. D. Merrill and 47 others, citizens of Bridgeton, Newaygo county, against the passage of any act extending the time for the completion of any portion of the Grand Rapids & Indiana railroad, and ask that action be taken declaring their charter forfeited.

Referred to the committee on internal improvements.

By Mr. Walker: petition of H. P. Baldwin, J. G. Erwin, and

20 others, citizens of the city of Detroit, praying for an act to protect the community from incompetent dental practitioners.

Referred to the committee on education.

By Mr. Deane: memorial of C. O. Fuller and 301 others, of Mecosta and Osceola counties, in relation to the Grand Rapids & Indiana railroad.

Referred to the committee on internal improvements.

By Mr. Boies: petition of J. J. Hogaboom, W. H. Montgomery, L. G. Hall, B. H. Lane and 126 others, citizens and taxpayers of the village of Hudson, praying for the passage of an act to incorporate the public schools of said village.

Referred to the committee on education.

By Mr. Corey: petition of Newton Sheldon and 70 others, citizens of the township of Lodi, Washtenaw county, asking the passage of a law to enable the town of Lodi to build a town-house.

Referred to the committee on banks and incorporations.

By Mr. Bonine: remonstrance of A. P. Knox, against being included in the limits of the city of Niles.

Referred to the committee on banks and incorporations.

By Mr. Holt: petition of Jonas Thesen and 60 others, residents of Norton, Michigan, praying that measures be taken to bring the railroad lands in the State of Michigan, into market for actual settlement;

Also, petition of William Hebard and 144 others, citizens of Muskegon, for the same purpose.

On motion of Mr. Warner,

The petitions were laid on the table.

By Mr. Holt: petition of F. Weller and 40 others, citizens of Muskegon, praying for the incorporation of the city of Muskegon.

Referred to the committee on banks and incorporations.

By Mr. Wiley: petition of G. A. Harris, James A. Jacokes, Augustus C. Baldwin and 124 others, residents of Pontiac, in regard to a bill to regulate the practice of dentistry.

Referred to the committee on education.

## REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of Francis Leyden, crier of the supreme court in Detroit, for an increase of salary,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to amend act No. 66, of the session laws of A. D. 1861, approved February 25, 1861, entitled an act to authorize the supreme court to appoint a crier,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of sundry citizens of Grass Lake, Coldwater, Mason, Ypsilanti, Ionia, Ovid, Jackson, Lansing, Pontiac, Kalamazoo, Brooklyn, Detroit, Battle Creek, Niles, Marshall, Owosso and Jonesville, praying the Legislature to enact a law making railroad companies liable for damages by fire for goods left in their possession,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to fix the liability of railroad companies as common carriers in certain cases,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petitions were laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill relative to the Supreme Court;

Also,

A bill to amend an act, entitled "an act to amend section 1813, being section 15, of chapter 63, of the compiled laws;"

Also,

A bill to amend chapter 108, of the compiled laws, relative to divorcees, being chapter 84, of the revised statutes of 1846;

Also,

A bill to authorize the Iron Cliffs company, to acquire and hold certain lands, and to acquire and hold stock in certain companies;

Also,

A bill to regulate the manner of electing trustees in school district No. 4, in the city and township of Ypsilanti, and define the qualifications of electors therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

● E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred a petition of Henry C. Dennis, H. B. Smith and 65 others, residents of the township of Cascade, in Kent county, against the policy of special land agents,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. C. R. Brown,

The petition was laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to incorporate the county of Ogemaw with the county of Iosco, and to define the boundaries of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to change the name of the town of Benona to that of Shelby, and the town of Le Roy to that of Benona,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to change the name of the village of Varna, Genesee county, to that of Clio,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize judges of probate to complete the record of proceedings had before their predecessors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize the judge of probate of Genesee county to complete the record of proceedings had before his predecessor,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Van Vleet,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to authorize the graded and high school of the city of Battle Creek, in the county of Calhoun, to issue bonds,

Respectfully report that they have had the same under con-



sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend section 1, of act No. 177, of session laws of 1863, entitled an act to remit the specific taxes upon mining, manufacturing, smelting and other companies, of the Upper Peninsula, to the counties in which they arise, for a period of five years, and to provide for the application of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. S. WILCOX, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate manuscript bill, entitled

A bill to repeal an act entitled an act to incorporate the Monroe and Erie Plank Road Company, approved April 3, 1848, and the act amendatory thereof, approved February 16, 1849,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the townships, incorporated villages and cities, in the counties of Saginaw, Tuscola, Gratiot and Clinton, to donate or loan money, or to pledge their credit, to aid the construction of plank roads in said counties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Three Oaks, in the county of Berrien,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the following amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mickley,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report the following bills and joint resolution, as correctly enrolled, signed and presented to the Governor:

A bill to legalize the action of the annual and adjourned school meetings of fractional school district No. 4, and No. 1, of the townships of Pine River and Bethany, in Gratiot county, for the year 1866;

Also,

A bill to authorize fractional union school district number one, of the townships of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds;

Also,

A bill to amend an act, entitled an act to provide for the draining of swamps, marshes, and other low lands, approved March 15, 1861, by adding thereto a new section;

Also,

Joint resolution directing the Board of State Auditors, to audit the accounts and claims of the late Secretary of State, for repairing and improving the State House.

DANIEL UPTON, *Chairman.*

Report accepted.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred Senate bill No. 51, entitled

A bill to change the name of the trustees in trust, of the First Methodist Episcopal church of Saginaw city, to the Methodist Episcopal church, of the city of Saginaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

L. S. PARMELEE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation :

The committee on local taxation, to whom was referred

A bill to authorize school district No. 17, of the township of Flint, to borrow money for the purposes therein mentioned;

Also, the petition of E. M. Tupper and 25 others, tax-payers of said district, for authority to borrow money to build a school-house,

Respectfully report that they have had the same under consideration; and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Beall,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize school district number two, of the township of Lapeer, in the county of Lapeer, to borrow money for the purpose therein mentioned;

Also, the petition of the board of trustees of said district for authority to borrow money,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute for the bill, entitled

A bill to authorize school district number two, of the township of Lapeer, in the county of Lapeer, to borrow money and issue bonds therefor, for the purpose therein mentioned.

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Corey,

The House concurred in the adoption of the substitute for the bill reported by the committee.

The petition was laid on the table.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of the officers of the village of Parma, in the county of Jackson, asking the Legislature to legalize the tax roll of said village for the year 1866, and also to pass an act to enable them to grade the streets and construct sidewalks in said village,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to confer additional powers upon the village of Parma, in the county of Jackson;

Also,

A bill to legalize the tax roll of the village of Parma, in the county of Jackson, for the year 1866,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bills were read a first and second time by their titles, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of R. F. Watkins and 35 others, praying for the legalization of the action of the township of Burlington, in voting aid to a railroad;

Also, petition of D. C. Reynolds, C. M. Lampman and 146 others, citizens of Colon, St. Joseph county, praying for the accomplishment of a like purpose,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that said petitions be referred to the committee on internal improvements, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The recommendation of the committee was concurred in, and the petitions were referred to the committee on internal improvements.

By the committee on printing:

The committee on printing to whom was referred the following concurrent resolution and proposed amendment:

*Resolved*, (the Senate concurring,) That two copies of all public documents printed for the use of the Senate and House of Representatives, be furnished for the library of the State University, the library of the Normal School, and the library of the Agricultural College,

Have had the same under consideration, and instructed me to report that the law now provides for 500 copies of the joint documents being deposited in the State library. Out of this number, your committee are of opinion that duplicate copies might be spared for each of the public Institutions of the State, viz: The University of Michigan, the State Normal School the Agricultural College, the State Asylum for the education of the Deaf and Dumb, and the Blind, the State Asylum for the Insane, the State Prison, and the State Reform School. Your

committee would therefore recommend the adoption of the following resolution, and ask to be discharged from the further consideration of the subject:

*Resolved*, (the Senate concurring,) That two copies of the Joint Documents, provided annually for deposit in the State Library, and two copies each of the Journal of proceedings of the Senate and House of Representatives, when indexed and bound, after each session of the Legislature, and two copies of the Senate and House documents, be furnished to the Libraries of each of the following Institutions, viz:

The University of Michigan;

The State Normal School;

The State Agricultural College;

The State Asylum for the Education of the Deaf and Dumb, and the Blind;

The State Asylum for the Insane;

The State Prison; and

The State Reform School.

All of which is respectfully submitted.

R. P. AITKEN, *Chairman*.

Report accepted and committee discharged.

The resolution recommended by the committee, was adopted.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to amend section one, of chapter eighteen, of the revised statutes of 1846, being section 605, of the compiled laws, relative to the repair and construction of fences,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

O. H. FELLOWS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Walker,

The bill was laid on the table.

## COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

AUDITOR GENERAL'S OFFICE, }  
Lansing, Feb. 5, 1867. }

*To the Hon. Speaker of the House of Representatives:*

SIR: Copies of the reports of the Grand Rapids & Indiana Railroad Company for 1863 and 1864, made to the Auditor General, as required by law, are herewith transmitted to the House of Representatives, in compliance with the resolution of February 4th.

Very respectfully,

S. D. BINGHAM,

*Dep. Auditor General.*

The following are the reports:

## REPORT FOR 1863.

OFFICE OF THE GRAND RAPIDS AND IND. R. R. Co., }  
Kalamazoo, Jan. 1, 1864. }

*To the Auditor General of the State of Michigan:*

SIR—The amount of the capital stock of the	
Grand Rapids and Indiana Railroad company is,	\$2,800,000 00
The amount of capital stock paid in is,.....	269,272 49
Amount expended for the purchase of lands for	
the construction of the road (right of way),.	10,234 26
In addition to which lands have been donated	
to the company for the right of way to the	
value of .....	10,225 00
Amount expended for buildings,.....	None.
Amount expended for engines,.....	None.
Amount expended for cars,.....	None.

## AMOUNT AND VALUE OF INDEBTEDNESS.

Amount due on construction, about.....	44,628 51
Amount due on borrowed money, about.....	40,000 00
Amount due on incidental service, including,	
officers' salaries, directors' fees, agents' ex-	
penses, attorneys' fees, traveling expenses,	



office expenses, expenditures on examinations of lands granted, taxes, interest and all other incidental accounts, about .....	\$78,331 35
	<u>\$162,959 86</u>

## AMOUNT DUE THE CORPORATION.

Unpaid subscriptions,.....	\$318,637 18
Amount received from transportation of passen- gers, of property, of mails, and from all other sources,.....	None.
Amount of freight and other articles,.....	None.
Amount paid for repairs, engines, cars, build- ings and salaries,.....	None.
Amount and number of dividends, etc.,.....	None.
The number of engine houses and shops of en- gines and of cars, etc., .....	None.
The number of miles run, etc.,.....	None.
The number of men employed in the running department, etc., .....	None.
The number of persons injured, etc.,.....	None.
The number of accidents, etc.,.....	None.

The entire expenditures may be stated as follows:

Amount paid on work and engineering,.....	\$215,371 49
Amount due on work and engineering,.....	44,628 51
Amount paid on right of way,.....	10,234 26
Amount paid on incidental account,.....	83,666 74
Amount due on incidental account,.....	78,331 35

## STATEMENT.

The Grand Rapids and Ind. Railroad Co.,	Dr.
Amount of capital stock paid in,.....	\$269,272 49
Amount due on construction,.....	44,628 51
Amount due on borrowed money, .....	40,000 00
Amount due on incidental service, including officers' salaries, directors' fees, traveling ex- penses, office expenses, expenditures on ex-	

aminations of land grant, taxes, interest, and all other incidental account, about.....	\$78,331 35
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Total, .....	<u>\$432,232 35</u>
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The Grand Rapids and Indiana Railroad Co.,	CR.
Total cost of construction and engineering,....	\$260,000 00
Total amount paid on right of way,.....	10,234 26
Total cost of Incidental service,.....	161,998 09
Total, .....	<u>\$432,232 35.</u>

## THE COMPANY'S MEANS.

Total amount of capital stock,.....	\$2,800,000 00
Total amount of first mortgage bonds,.....	7,500,000 00
Total value of construction and incidental service,.....	432,232 35
Value of lands deeded and paid for the right of way,.....	\$10,234 26
Value of lands donated for right of way,.....	10,225 00
	<u>20,459 26</u>
Amount of stocks and bonds in other compa- nies,.....	6,100 00
Amount of unpaid subscriptions,.....	318,637 18
Amount of lands granted, 678,889.70 acres, which at \$6 62 per acre, is.....	4,500,000 00

This report is made out, in its details, in compliance with the requirements of the statute, as nearly as can be done, under the circumstances. The statute undoubtedly contemplated that the roads reported on should be in running condition. This company's road being only in the process of construction, the attempt to comply with the specifications of statute, makes the report bear an awkward appearance.

The interruption in financial affairs, caused by the great rebellion, together with the very high price, and great scarcity of iron and all railroad equipments, have prevented the com-

pany from making any advance in its work the past year. In many respects its affairs have been greatly improved, and there is every reason for believing that the projected work will be completed in the course of a few years.

All of which is respectfully submitted,

JOSEPH LOMAX, *Pres't.*

On this nineteenth day of January, 1864, personally appeared before me, a Notary Public, in and for Ingham county, State of Michigan, Joseph Lomax, Pres't, and deposed that the foregoing report was true according to his best knowledge and belief.

[5 ct. Int. Rev. Stamp.]

CHAS. S. HUNT,

*Notary Public.*

### REPORT FOR 1864.

OFFICE OF THE GRAND RAPIDS AND IND. R. R. Co., }  
Kalamazoo, Mich., Jan. 2, 1865. }

*To the Auditor General of the State of Michigan:*

SIR—The amount of capital stock of the Grand Rapids and Indiana Railroad Company, is. \$2,800,000 00  
Amount of capital stock paid in,..... 269,272 49  
Amount expended for the purchase of lands for construction of the road, (right of way),.... 10,234 26  
In addition to the above, lands have been donated to the company for the right of way to the value of..... 10,225 00  
Amount expended for buildings,..... None.  
Amount expended for engines,..... None.  
Amount expended for cars,..... None.

### AMOUNT AND NATURE OF INDEBTEDNESS.

Amount due on construction, about..... \$44,628 51  
" " " borrowed money, about..... 40,000 00  
" " " incidental service, including offices, salaries, directors' fees, agents' expenses, attorneys' fees, traveling expenses, expenditures on

examination of lands granted, interest and all other incidental accounts, about.....	\$92,351 35
Total, .....	<u>\$176,979 86</u>

## AMOUNT DUE THE CORPORATION.

Unpaid subscriptions to the capital stock, .....	\$318,637 18
Township bonds voted, .....	50,000 00
	<u>\$368,637 18</u>

Amount received from transportation of passengers, property, mails, and from all other sources, .....	None.
Amount of freights and other articles, .....	None.
" paid for repairs, engines, cars, buildings and salaries, .....	None.
Amount and number of dividends, &c., .....	None.
Number of engine-houses and shops, of engines and cars, &c., .....	None.
Number of miles run, &c., .....	None.
" " men employed in running depart't, &c.,	None.
" " persons injured, &c., .....	None.
" " accidents, &c., .....	None.

The entire expenditures may be stated as follows:

Amount paid on work and engineering, .....	\$215,371 49
" due " " " .....	44,628 51
" paid on right of way, .....	10,234 26
" " incidental account, ...	\$83,666 74
" due on " " ....	92,351 35
	<u>176,018 09</u>
Total, .....	<u>\$446,252 35</u>

*Statement.*

THE GRAND RAPIDS AND INDIANA RAILROAD COMPANY.

Dr.

Amount of capital stock paid in, .....	\$269,272 49
" due on construction and engineering, ab't	44,628 51

1887.] HOUSE OF REPRESENTATIVES. 561

Amount due on borrowed money, about.....	\$40,000 00
“ “ incidental service, about.....	92,851 85
Total,.....	<u>\$446,252 35</u>

THE GRAND RAPIDS & INDIANA RAILROAD COMPANY.

CR.

Cost of construction and engineering,.....	\$260,000 00
Amount paid on right of way,.....	10,234 26
Total cost of incidental service, about. ....	176,018 09
Total ,.....	<u>\$446,252 35</u>

THE COMPANY'S MEANS.

Total amount of capital stock,.....	\$ 2,800,000 00
“ “ first mortgage bonds,.....	7,500,000 00
Total value of construction and incid'al service,	446,252 35
Value of lands deeded for right of	
way, .....	\$10,234 26
Value of lands donated for right	
of way,.....	10,225 00
	<u>20,459 26</u>
Amount of stocks and bonds in other Co.'s....	6,100 00
“ “ unpaid subscriptions,.....	318,637 18
“ “ township bonds recently voted,....	50,000 00
“ “ land granted applicable, north of	
Grand Rapids, 678,889.70 acres, which at	
\$6 62 per acre, is.....	4,500,000 00

The above land grant has recently been extended and enlarged 529,920 acres, by an act of Congress, on the line of this road, from Grand Rapids to Fort Wayne. These lands are in the State, but appropriated to construct the southern part of this road. At \$5 per acre they amount to,..... 2,649,600 00

The details of this report are made out in compliance with the reading of the statute, as nearly as can be done under the

circumstances. The statute undoubtedly contemplates that the roads reported upon should be in running condition. This road being only in process of construction, the attempt to comply with the literal specifications of the statute, makes the report bear an awkward appearance.

The interruption in financial affairs, produced by the great rebellion, the high prices of labor, iron and all material, caused a suspension of the work until recently, when fifteen miles of the line were put under contract, and the work thereon resumed. The means of the company have been greatly augmented the past year, and there are good reasons for expecting the construction of this great project in the course of a few years.

All of which is respectfully submitted.

(Signed)

JOSEPH LOMAX, *President.*

STATE OF MICHIGAN, }  
COUNTY OF INGHAM, } ss.

Joseph Lomax being duly sworn, says that the above statement, filed in the Auditor General's office by him, is true and correct.

(Signed,)

JOSEPH LOMAX.

Sworn and subscribed to before me, this 9th day of January, A. D. 1866.

(Signed)

S. D. BINGHAM,

Notary Public, Ingham, Co., Mich.

[5 ct. stamp.]

The communication was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, February 5, 1867. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills:

1. House bill No. 34, entitled

A bill for the better promotion of the interests of agriculture, manufactures, and the mechanic arts;

2. House manuscript bill, entitled

A bill to authorize the first Unitarian society of Ann Arbor, in Washtenaw county, to purchase church property, and mortgage the same for purchase money;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, February 5, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

1. House manuscript bill, entitled

A bill to amend an act entitled an act to connect the Duncan, Alpena and Sauble river State road, with the East Saginaw and Sauble river State road;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect, by the House.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 5, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 28, entitled

A bill to amend section 3786, chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace;

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,  
THOS. H. GLENN,  
*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 4, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following:

1. Senate bill No. 44, entitled

A bill to amend sections 5, 10 and 24, of an act entitled an act to authorize the formation of companies for mining, smelting or manufacturing iron, copper, mineral coal, silver or other ores or minerals, and for other manufacturing purposes, approved February 5th, 1853, being sections 1803, 1808 and 1822 of the compiled laws;

2. Senate bill No. 48, entitled

A bill to amend section fourteen, of an act entitled "an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers," approved April 8, 1851, being section three hundred and forty-eight of the compiled laws;



## 8. Senate bill No. 69, entitled

A bill to attach certain towns in the county of Newaygo to the township of Barton, in said county;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully, \*

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on mines and minerals.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on towns and counties.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 4, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

## House bill No. 26, entitled

A bill to legalize the action of the township of Marquette and the township of Chocolay, in the county of Marquette, in raising money to macadamize a road between said townships;

And to inform the House that the Senate has amended the same as follows:

1. By inserting the word "as," before the word "legal," in the tenth line of section one, and also by adding at the end of the tenth line of said section one, the words "as though made by the proper township officers;"

2. By inserting the word "as," before the word "legal," in the sixteenth line of section one, and also by adding at the end of the sixteenth line of said section, the words "as though made by the proper township officers;"

In the passage of which, as thus amended, the Senate has

concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Healy moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

**YEAS.**

Mr. Aitken,	Mr. Holt,	Mr. Rockwood,
Alexander,	Hopkins,	Schars,
Ball,	Howard,	Sexton,
Beall,	Huckins,	Shepherd,
Benedict,	Jenness,	Shetterly,
Boies,	Jewell,	Slayton,
Boniae,	J. H. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
C. R. Brown,	Locke,	P. S. Spaulding,
W. G. Brown,	Lockwood,	Spence,
Canniff,	Mallet,	Stannard,
Camburn,	Mason,	Stevens,
Chauvin,	McCutcheon,	Storrs,
Corey,	McKernan,	Swift,
Crossman,	Mead,	Taylor,
Dunlap,	Mickley,	Tompkins,
Dusseau,	Miles,	Upton,
Eck,	Murray,	Van Vleet,
Emerson,	Newcombe,	Warner,
Fellows,	L. D. Osborn,	Wells,
Fenton,	W. H. Osborn,	White,
Gallup,	Parker,	Wilcox,
Glavin,	F. Parsons,	Wiley,
Greenfield,	S. T. Parsons,	Willard,
Grier,	Parmelee,	Wilson,
Haven,	Pearl,	Woodman,
Healy,	Randall,	Wright,
Hill,	Robinson,	Speaker,

87

**NAYS.**

Mr. Barber,

Mr. Walker,

2

Mr. Ball moved that Mr. Barber be excused from voting;

Which motion did not prevail.

Mr. Barber then voted as recorded above.

Mr. Warner moved that Mr. Walker be excused from voting;

Which motion did not prevail.

Mr. Walker then voted as recorded above.

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 4, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 39, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, from Crawford's marble quarry to the Duncan, Alpena and Sauble river State road;

2. Senate bill No. 59, entitled

A bill to secure uniformity in election returns;

3. Senate bill No. 64, entitled

A bill to authorize the trustees of the Methodist Episcopal Church of Lawton, in the county of Van Buren, to convey certain real estate;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on public lands.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. L. Smith gave notice that on some future day he would ask leave to introduce

A bill to authorize the township board of the township of Fulton, Gratiot county, to issue bonds, or other evidence of indebtedness, to certain persons, who enlisted in the service of the United States, and were credited to said township.

Mr. Camburn gave notice that on some future day he would ask leave to introduce

A bill to allow certain towns in the counties of Ionia and Montcalm, to aid in the construction of a plank road from Ionia, in Ionia county, to Stanton, in Montcalm county.

Mr. Spence gave notice that on some future day he would ask leave to introduce

A bill to regulate the practice of dentistry.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches from Isabella City, in Isabella county, northerly, to intersect with the Ionia, Houghton Lake and Mackinac State road.

Mr. Glavin gave notice that on some future day he would ask leave to introduce

A bill to amend section 28, of an act entitled an act to provide for assessing property at its true cash value, and for levying and collecting taxes thereon, approved February 14, 1853, being section 809, of the compiled laws.

Mr. Hopkins gave notice that on some future day he would ask leave to introduce

A bill to appropriate swamp lands, to aid in the construction of a bridge across Grand River, on the line of the Allegan, Ferrysburg and Traverse Bay State road.

Mr. J. H. Jones offered the following:

*Resolved*, That the committee on State affairs be and are hereby instructed to inquire into the propriety and expediency of causing the present laws in relation to assessment and collection of taxes of this State, to be compiled and published in a cheap and convenient form, so that a copy can be furnished to each supervisor, assessor, and township treasurer, and other persons interested, and that the said committee report to this House as soon as practicable, by bill or otherwise;

Which was adopted.

Mr. Upton gave notice that on some future day he would ask leave to introduce

A bill authorizing the township of Blackman, in the county of Jackson, to raise by tax the sum of two thousand dollars, to repay C. Van Horn and 19 others, for money loaned said township, to aid in filling the quota of said township, upon a call for troops by the President, during the fall and winter of 1864 and 1865.

Mr. Alexander gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the electors of the township of Olive, Clinton county, in voting a tax to pay bounties to volunteers.

Mr. Ball gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Brighton, in the county of Livingston, and State of Michigan, and to define the boundaries thereof.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled act to amend an act entitled "an act to incorporate the Detroit and St. Clair plank road company;"

Also,

A bill to amend act No. 100, of the session laws of 1848, incorporating the Detroit and Saline plank road company.

Mr. Randall offered the following:

*Resolved*, That when this House adjourn it adjourn to meet at 9 o'clock A. M., until further ordered.

Mr. Tompkins moved to amend the resolution by excepting Monday of each week, and making the hour of meeting for that day 10 o'clock A. M.;

Which motion did not prevail.

The resolution was not adopted.

Mr. Van Vleet gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 244, of the session laws of 1859, being an act to amend section eleven of the act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, eighteen hundred and fifty-one, and being section three hundred and forty-five, of the compiled laws.

Mr. Greenfield gave notice that on some future day he would ask leave to introduce

A bill to establish a State road from the village of Lapeer, in Lapeer county, to Bay City, in Bay county, and ask for an appropriation of State swamp land to aid in constructing the same.

Mr. Holt gave notice that on some future day he would ask leave to introduce

A bill to authorize the village of Muskegon to borrow money and issue bonds therefor, for the purpose therein mentioned.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Tawas City, in the county of Iosco, westerly to intersect the Traverse Bay and Midland State road.

Mr. Dunlap gave notice that on some future day he would ask leave to introduce

A bill for the construction of a road from Midland City to Traverse city;

Also,

A bill for the construction of a road in Leelanaw county.

Mr. Storrs, previous notice having been given, and leave being granted, introduced

A bill to amend act number 335, of the session laws of 1865, the same being an act to provide for the draining and reclamation of swamp lands, by means of the improvement of the Lamont and Zeeland State road, in Ottawa county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to revise and amend an act to incorporate the city of Ann Arbor, approved April 4, 1858, and an act amendatory thereto, approved Feb. 12, 1859, and also an act amendatory thereto, approved Feb. 25, 1861.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Dusseau, previous notice having been given, and leave being granted, introduced

A bill to amend Sec. 2, of an act entitled an act to provide for the protection of game in the State of Michigan, being act No. 236, of the session laws of 1863, approved March 20, 1863.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hopkins, previous notice having been given, and leave being granted, introduced

A bill to regulate the payment of State bounty to all soldiers and sailors mustered into the military service of the United States from this State, and credited to the quota of the same during the late rebellion.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. Hill, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act imposing a specific tax upon corporations and chartered companies engaged in the business of mining, smelting and refining ores in this State, approved March 10, 1865.

Mr. Gallup, previous notice having been given, and leave being granted, introduced

Joint resolution requesting our Senators and Representatives in Congress to use all honorable means to obtain the passage of a judicious and effective protective tariff on importations of copper, iron, lumber and wood, and articles manufactured therefrom.

The joint resolution was read a first and second time by its title, and referred to the committees on mines and minerals and agriculture, jointly.

Mr. Aitken, previous notice having been given, and leave being granted, introduced

A bill to revise the charter of the village of Flint.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Glavin, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Berrien Springs, Berrien county.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Riverside, in the county of Wayne.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. White, previous notice having been given, and leave being granted, introduced



A bill to amend act No. 147, of session laws of 1861, it being sections 2014 and 2017 of compiled laws, with reference to religious societies, so as to authorize the recording of articles of association, and to give trustees, wardens and vestrymen authority to execute security upon church property in certain cases.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Huckins, unanimous consent being given, introduced

A bill granting swamp land to the county of Sanilac, to aid in cutting drains through certain swamps in said county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Van Vleet, previous notice having been given, and leave being granted, introduced

A bill granting swamp land to the counties of Genesee and Shiawassee, to aid in cutting drains through a certain swamp in said counties

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Healy, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to amend an act to authorize mining companies to subscribe and take stock in plank roads or railroads, and to regulate taxation thereon," approved February 8, 1855, being section 1881, of the compiled laws, approved March 14, 1863.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Healy, previous notice having been given, and leave being granted, introduced

A bill to organize the township of Ingallston, in the county of Menominee.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to amend section 8, of act No. 231, of the session laws of 1863, relative to proceedings by garnishment.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Boies, previous notice having been given, and leave being granted, introduced

A bill to incorporate the public schools of the village of Hudson.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to authorize Midland county to issue bonds to aid in the construction of the Midland and Bay City plank road.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Barber, previous notice having been given, and leave being granted, introduced

A bill to provide for the re-survey and re-platting of the city of Coldwater.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. White offered the following:

*Resolved*, That the committee on education be instructed to inquire, whether under existing circumstances at the Agricultural College, residents of this State should not have the first right to admission to that Institution, and that they report by bill or otherwise;

Which was adopted.

Mr. Swezey gave notice that on some future day he would ask leave to introduce

A bill to authorize school district No. 8, of the township of Castleton, in the county of Barry, to issue bonds and borrow money for the purpose of building a school-house.

## THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 43, entitled

A bill to amend section 12, of chapter 47, of the revised statutes of 1846, being section 1614, of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, follows:

## YEAS.

Mr. Aitken,	Mr. Howard,	Mr. Shepherd,
Alexander,	Jenness,	Shetterly,
Barber,	Jewell,	Slayton,
Beall,	Kingsbury,	L. Smith,
Benedict,	Locke,	R. B. Smith,
Boies,	Lockwood,	E. Spalding,
A. S. Brown,	Lovell,	P. S. Spaulding,
C. R. Brown,	Mallet,	Spence,
W. G. Brown,	Mason,	Stevens,
Canniff,	McCutcheon,	Storrs,
Camburn,	McKernan,	Sweezy
Corey,	Mead,	Swift,
Deane,	Mickley,	Taylor,
Dunlap,	Miles,	Tompkins,
Dusseau,	Murray,	Upton,
Eck,	Newcombe,	Walker,
Fellows,	L. D. Osborn,	Warner,
Fenton,	W. H. Osborn,	Wells,
Gallup,	Parker,	White,
Glavin,	F. Parsons,	Wilcox,
Greenfield,	S. T. Parsons,	Wiley,
Grier,	Parmelee,	Willard,
Haven,	Pearl,	Wilson,
Healy,	Randall,	Woodward,
Hill,	Rockwood,	Woodman,
Holt,	Sheley,	Speaker,
Hopkins,	Sexton,	

80

## NAYS.

Mr. Ball,	Mr. Crossman,	Mr. Kedzie,
Bonine,	Huckins,	Robinson,
Chauvin,	J. H. Jones,	Stannard,

9

Title agreed to.

House bill No. 66, entitled

A bill to authorize the board of trustees of the village of Galesburgh to cause a re-survey and plat of said village to be

made and recorded, and to assess and collect the necessary tax herefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Sexton,
Alexander,	Howard,	Shepherd,
Ball,	Huckins,	Shetterly,
Barber,	Jenness,	Slayton,
Beall,	Jewell	L. Smith,
Benedict,	J. H. Jones,	R. B. Smith,
Boies,	Kedzie,	E. Spalding,
Bonine,	Kingsbury,	P. S. Spaulding,
Brownell,	Locke,	Spence,
A. S. Brown,	Lockwood,	Stannard,
O. R. Brown,	Lovell,	Stevens,
W. G. Brown,	Mallet,	Storrs,
Canniff,	Mason,	Sweezey,
Camburn,	McOutcheon,	Swift,
Chauvin,	McKernan,	Taylor,
Corey,	Mead,	Tompkins,
Crossman,	Mickley,	Upton,
Deane,	Miles,	VanVleet,
Dunlap,	Murray,	Walker,
Dusseau,	Newcombe,	Warner,
Eck,	L. D. Osborn,	Wells,
Fellows,	W. H. Osborn,	White,
Fenton,	Parker,	Wilcox,
Gallup,	F. Parsons,	Wiley,
Glavin,	S. T. Parsons,	Willard,
Greenfield,	Parmelee,	Wilson,
Grier,	Pearl,	Woodward,
Haven,	Randall,	Woodman,
Healy,	Robinson,	Wright,
Hill,	Rockwood,	Speaker,
Holt,	Schars,	

93

## NAYS.

0

Title agreed to.

On motion of Mr. Mason,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 38, entitled

A bill to amend section one, of an act entitled "an act rela-

tive to laying out, altering, and discontinuing highways," approved March 15, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Huckins,	Mr. Sexton,
Alexander,	Jenness,	Shepherd,
Ball,	Jewell,	Shetterly,
Barber,	J. H. Jones,	Slayton,
Beall,	Kedzie,	L. Smith,
Benedict,	Kinsbury,	R. B. Smith,
Boies,	Locke,	E. Spalding,
Bonine,	Lockwood,	P. S. Spaulding,
Brownell,	Lovell,	Spence,
A. S. Brown,	Mallet,	Stannard,
C. R. Brown,	Mason,	Stevens,
W. G. Brown,	McCutcheon,	Storrs,
Canniff,	McKernan,	Sweezey,
Camburn,	Mead,	Swift,
Chauvin,	Mickley,	Taylor,
Crossman,	Miles,	Tompkins,
Deane,	Murray,	Upton,
Dunlap,	Newcombe,	Van Vleet,
Eck,	L. D. Osborn,	Walker,
Fellows,	W. H. Osborn,	Wells,
Fenton,	Parker,	White,
Glavin,	F. Parsons,	Wilcox,
Greenfield,	S. T. Parsons,	Wiley,
Grier,	Parmelee,	Willard,
Haven,	Pearl,	Wilson,
Healy,	Randall,	Woodward,
Hill,	Robinson,	Woodman,
Holt,	Rockwood,	Wright,
Hopkins,	Schars,	Speaker,
Howard,		

88

## NAYS.

Mr. Corey,	Mr. Dusseau,	2
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Title agreed to.

House bill No. 21, entitled

A bill to amend certain sections of an act, entitled "an act to repeal chapter one hundred and twenty-two, of the revised statutes of eighteen hundred and forty-six, and the amendments

thereto, and provide for the collection of demands against water craft, approved February fifth, eighteen hundred and sixty-four,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Shepherd,
Alexander,	Howard,	Shetterly,
Ball,	Huckins,	Slayton,
Barber,	Jenness,	L. Smith,
Beall,	Jewell,	R. B. Smith,
Benedict,	J. H. Jones,	E. Spalding,
Boies,	Kedzie,	P. S. Spaulding,
Bonise,	Kingsbury,	Spence,
Brownell,	Locke,	Stannard,
A. S. Brown,	Lovell,	Stevens,
C. R. Brown,	Mallet,	Storrs,
W. G. Brown,	Mickley,	Sweezey,
Canniff,	Mason,	Swift,
Camburn,	McCutcheon,	Taylor,
Chauvin,	McKernan,	Tompkins,
Corey,	Mead,	Upton,
Crosseman,	Murray,	Van Vleet,
Deane,	L. D. Osborn,	Walker,
Dunlap,	W. H. Osborn,	Warner,
Dusseau,	Parker,	Wells,
Eck,	F. Parsons,	White,
Fellows,	S. T. Parsons,	Wilcox,
Fenton,	Parmelee,	Wiley,
Glavin,	Pearl,	Willard,
Greenfield,	Randall,	Wilson,
Grier,	Robinson,	Woodward,
Haven,	Rockwood,	Woodman,
Healy,	Schars,	Wright,
Hill,	Sexton,	Speaker,
Holt,		

88

## NAYS.

0

Title agreed to.

On motion of Mr. Grier,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 44, entitled

A bill to amend an act entitled an act to establish a police

government for the city of Detroit, and to add two new sections thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Jewell,	Mr. Slayton,
Ball,	J. H. Jones,	L. Smith,
Barber,	Kingsbury,	R. B. Smith,
Beall,	Locke,	E. Spalding,
Benedict,	Lockwood,	P. S. Spaulding,
Boies,	Lovell,	Spence,
Bonine,	Mallet,	Stannard,
A. S. Brown,	McCutcheon,	Stevens,
C. R. Brown,	Mead,	Storrs,
W. G. Brown,	Mickley,	Sweezy,
Canniff,	Miles,	Swift,
Crossman,	Murray,	Taylor,
Deane,	Newcombe,	Upton,
Dunlap,	L. D. Osborn,	Van Vleet,
Eck,	W. H. Osborn,	Walker,
Fellows,	Parker,	Warner,
Gallup,	F. Parsons,	Wells,
Glavin,	S. T. Parsons,	White,
Haven,	Parmelee,	Wilcox,
Hill,	Pearl,	Wiley,
Holt,	Randall,	Willard,
Hopkins,	Robinson,	Woodward,
Howard,	Rockwood,	Woodman,
Huckins,	Schars,	Speaker,
Jenness,	Shepherd,	

74

## NAYS.

Mr. Alexander,	Mr. Fenton,	Mr. Sexton,
Brownell,	Greenfield,	Shetterly,
Camburn,	Grier,	Tompkins,
Chauvin,	Healy,	Wilson,
Corey,	McKernan,	Wright,
Dusseau,		

16

Mr. Jenness moved that Mr. Kedzie be excused from voting;  
Which motion prevailed.

Mr. Taylor moved that Mr. Dunlap be excused from voting;  
Which motion did not prevail.

Mr. Dunlap then voted as recorded above.

Mr. Dusseau moved that Mr. Brownell be excused from voting;

Which motion did not prevail.

Mr. Brownell then voted as recorded above.

Mr. Grier moved that Mr. Gallup be excused from voting;

Which motion did not prevail.

Mr. Gallup then voted as recorded above.

The title of the bill was then agreed to.

By unanimous consent, the Speaker announced the following:

SECRETARY'S OFFICE,  
Lansing, Feb. 5, 1867. }

HON. P. D. WARNER, *Speaker of the House of Representatives:*

SIR—In compliance with a resolution of the House, adopted on the 2d inst., I have the honor herewith to transmit a list of all insurance companies organized under the laws of this State, together with the date of their organization, amount of capital, and amount of business done by each, as shown by their reports to this department.

Very Respectfully,

O. L. SPAULDING,

*Secretary of State.*

The following is the list:

*LIST of Insurance Companies organized under the Laws of the State of Michigan, with Location, Date of Incorporation, Capital, and Amount of Business done by each.*

STOCK COMPANIES.

Incorporated.	Name.	Location.	Capital.	Premiums Received.	
				1865.	1866.
1864	Michigan State, .....	Adrian, .....	\$150,000	\$43,138	\$42,109
1865	National Life and Health, .....	Kalamazoo, ..	500,000	11,683	"
1866	Detroit Fire and Marine, .....	Detroit, .....	500,000	.....	62,216



## MUTUAL COMPANIES.

Incorporated.	Name.	Location.	Whole amt't at Risk.	
			1865.	1866.
1859	German Farmers Fire.....	Ann Arbor, .....	* .....	* .....
1859	Washtenaw Mutual Fire.....	Bertrand, .....	\$3,232,500	\$ 3,671,300
1860	Farmers Mutual Fire, of Berrien County, .....	Coronna, .....	992,981	1,080,455
1861	Shiawassee County, .....	Grass Lake, .....	* .....	557,245
1862	Farmers Mutual Fire, of Jackson County, .....	Albion, .....	2,100,950	2,437,030
1862	" " " " of Calhoun County, .....	Peumash, .....	1,407,965	1,980,740
1862	" " " " of Lenawee County, .....	Oxford, .....	3,191,929	3,278,694
1862	" " " " of Oakland County, .....	Mason, .....	2,000,075	675,818
1862	" " " " of Ingham County, .....	Hillsdale, .....	710,785	1,000,293
1863	" " " " of Hillsdale County, .....	Kalamazoo, .....	2,600,000	3,077,000
1863	" " " " of Kalamazoo County, .....	Coldwater, .....	1,610,960	1,764,875
1863	" " " " of Branch County, .....	Centerville, .....	1,531,413	* .....
1863	" " " " of St. Joseph County, .....	Ada, .....	1,344,793	1,769,512
1863	" " " " of Kent County, .....	Dowagiac, .....	1,199,710	509,215
1863	" " " " of Cass County, .....	St. Johns, .....	131,000	59,911
1863	" " " " of Clinton County, .....	Romeo, .....	116,237	2,430,470
1863	County, .....	Flint, .....	1,996,730	1,184,407
1863	Farmers Mutual Fire, of Genesee County, .....	Paw Paw, .....	1,118,640	674,000
1863	" " " " of Van Buren County, .....	Olivet, .....	411,170	1,641,353
1863	" " " " of Barry and Eaton Cos., .....	Ionia, .....	1,091,000	561,465
1863	" " " " of Ionia County, .....	Oxford, .....	328,760	152,483
1863	Michigan Home, .....	Howell, .....	221,088	1,537,900
1863	Livingston Co. Mutual Fire, .....	Three Rivers, .....	1,077,890	532,597
1863	Three Rivers Farmers Mutual, of St. Joseph Co., .....	Plymouth, .....	479,079	2,890,810
1863	Farmers Mutual Fire, of Monroe and Wayne, .....	Centerville, .....	* .....	373,185
1863	St. Joseph County Village Fire, .....	Lansing, .....	670,332	3,461,869
1863	State, .....	Kalamazoo, .....	2,799,793	3,568,975
1864	Michigan Central, .....	Detroit, .....	3,568,975	6,161,327
1864	Climax Mutual, .....	Romeo, .....	5,270,163	6,907,734
1865	Fire, of Macomb, Lapeer and Oakland Cos., .....	Jackson, .....	733,000	* .....
1866	Merchants and Farmers Mutual Fire, .....	Coldwater, .....	* .....	473,050
1866	State Fire, .....	Detroit, .....	92,545	1,761,973
1866	People's Mutual Fire, .....	Oxford, .....	.....	415,584
1866	Atlas Live Stock, .....	Detroit, .....	.....	92,991
1866	Peninsular Mutual Life, .....	.....	.....	* .....
1867	Peninsular Fire, .....	.....	.....	.....

\*Not Returned.

The communication was laid on the table.

On motion of Mr. Kingsbury,

The House took a recess until two o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

## SPECIAL ORDER.

On motion of Mr. Boies,

The House went into committee of the whole, on the special order,

Mr. Ball in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have also had under consideration the following entitled bill:

Senate bill No. 15, entitled

A bill supplementary to section nineteen, of an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by an act of Congress, approved June third, eighteen hundred and fifty-six, approved February fourteenth, eighteen hundred and fifty-seven, and to an act approved February fifth, eighteen hundred and sixty-four, and also to an act entitled an act to confer an additional grant of public lands upon the Grand Rapids and Indiana Railroad Company, approved March 10, 1865,

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was placed on the order of third reading.

Mr. Kedzie moved that the House adjourn;

Which motion was withdrawn.

On motion of Mr. Van Vleet,

The House adjourned until to-morrow morning, at half-past nine o'clock.

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*Lansing, Wednesday, February 6, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Weed.

Roll called: quorum present.

Absent at roll-call without leave, Messrs. Upton and Wiley.

Mr. Woodward asked and obtained leave of absence for Mr. Upton, until to-morrow.

Mr. Warner asked and obtained leave of absence for Mr. Wiley, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Wilcox: petition of John R. Clark and 180 others, citizens of Madison, Lenawee county, praying for authority for said township to pay certain indebtedness incurred by a part of the citizens thereof, on behalf of the township, to pay bounties to volunteers, to fill the quota of the town under the last call of the President for volunteers in the military service.

Referred to the committee on bounties.

By Mr. Warner: petition of A. B. Markham and sundry other citizens of Wayne county, asking that the Legislature will appropriate no more money to support the State Agricultura College.

Referred to the committee on education.

By Mr. Swift: petition of George B. Cook and 170 others citizens of Canton, Wayne county, praying for the passage of a law authorizing them to vote a tax to refund bounty money.

Referred to the committee on bounties.

By Mr. Holt: petition of Charles Smith and 30 others, citizens of Laketon, Muskegon county, for the organization of the township of Howard.

Referred to the committee on towns and counties.

By Mr. Emery: petition of Henry Crawford and 30 others, citizens of the north half of town 10 north, of range 12 east, in Sanilac county, praying that said half town be detached from Sanilac county, and attached to Lapeer county.

Referred to the committee on towns and counties.

By Mr. Haven: petition of W. O'Donoghue, M. D., S. V. Erwin, B. B. Bidwell, C. W. Dalrimple and 48 others, citizens of Albion, praying for the passage of a law to protect the people from injury by incompetent dental practitioners.

Referred to the committee on education.

By Mr. Lockwood: petition of L. H. Pearl, I. N. Sickles and 38 others, of the county of Grand Traverse, for a wagon road from Alpena to Grand Traverse Bay.

Referred to the committee on public lands.

By Mr. Holt: remonstrance of Barzilla Giddings and 32 others, citizens of Dayton, protesting against the extension of time for the completion of the Grand Rapids and Indiana railroad.

On motion of Mr. Holt,

The remonstrance was laid on the table.

By Mr. Dunlap: petition of James K. Gunton and many others, of Grand Traverse, praying for the sale of railroad lands.

Referred to the committee on public lands.

By Mr. Sweezey: petition of S. J. Wheeler, J. H. Palmer and 28 others, voters and tax-payers of school district No. 8, of the township of Castleton, Barry county, praying that said district may be authorized to issue bonds and borrow money to build a school-house in said district.

Referred to the committee on local taxation.

By Mr. Sweezey: petition of A. P. Drake, J. W. Bancroft and 35 others, citizens of the county of Barry, praying for the enactment of a law providing for a system of registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Brownell: petition of B. Calvin and 35 others, citizens of Watertown, Tuscola county, to detach the township of Watertown from Tuscola county, and attach the same to the county of Lapeer.

Referred to the committee on towns and counties.

By Mr. C. R. Brown: petition of George Bridgman and 69 others, citizens of Lake township, in the county of Berrien, praying for the enactment of a law whereby municipal aid may be obtained towards constructing a railway from St. Joseph to the Indiana State line.

Referred to the committee on internal improvements.

By Mr. Kingsbury: petition of John T. Holmes, H. O. Grant, Robert F. Sinclair and Wm. Wood, M. D., citizens of Grand Rapids, praying for the passage of a law to protect citizens from injury by incompetent dental practitioners.

Referred to the committee on education.

By Mr. Chauvin: remonstrance of Edward Campan and 53 others, citizens of the township of Springwells, in Wayne county, against the incorporation of the village of Riverside, in said township.

Referred to the committee on banks and incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to authorize the several townships of this State, to raise money by tax, or to borrow money, to build or repair highways and bridges,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Glavin,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 23, entitled

A bill to reorganize the fifth, eighth and ninth judicial circuits, and to create the fourteenth judicial circuit,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sweezey,

The House concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of John M. Hiesrodt, praying an amendment of section 9, of chapter 21, of the compiled laws, relating to the duties of overseers of highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to House, with the accompanying bill, entitled

A bill to amend section 9, of chapter 21, of the compiled laws,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred a resolution "that the committee on the judiciary be instructed to inquire what further legislation is necessary, if any, in order to tax the stocks of national banks,"

Respectfully report that they have had the same under con-

sideration, and have directed me to report that the subject matter of said resolution is embodied in a bill now pending, before the House; they therefore report the resolution back to the House and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Boies,

The resolution was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 45, entitled

A bill to amend section 23, of the revised statutes of 1846, being section 5842 of the compiled laws, and the act amendatory thereof, entitled "an act to amend section 23, of the revised statutes of 1846, entitled, "of offenses against public justice, the same being section 5842, of the compiled laws," approved March 20, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Jenness,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 12, of chapter 88, of the revised statutes of 1846, being section 2731 of the compiled laws;

Also,

A bill to amend section 3837, of the compiled laws, relating to appeal bonds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. O. WALKER, *Chairman*

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the further improvement of the Duncan, Alpena and Sauble river, and the East Saginaw and Sauble river State road, and appropriate State swamp lands therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. McKernan,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend an act for connecting the Duncan, Alpena, and Sauble River State road with the east Saginaw and Sauble river State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman*.



Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was laid on the table.

By the committee on mines and minerals, and agriculture, jointly:

The joint committee on mines and minerals, and agriculture, to whom was referred

Joint resolution requesting our Senators and Representatives in Congress to use all honorable means to obtain the passage of a protective tariff on importations of copper, iron, lumber and wool, and articles manufactured therefrom,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. H. FELLOWS,

*Ch'n. Com. on Agriculture.*

S. W. HILL,

*Ch'n. Com. on Mines and Minerals.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of Francis St. Aubin, Jr., and 42 others, praying for the passage of a law to authorize the townships of Clinton and Harrison, in Macomb county, to raise a tax to build a bridge across the Clinton river;

Also, the petition of Edgar Weeks and 65 others, praying for a similar enactment,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to authorize the townships of Harrison and Clinton, in the county of Macomb, to raise a tax for the purpose therein mentioned,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petitions were laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize Midland county to issue bonds to aid in the construction of the Midland and Bay City plank road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The Speaker announced that the hour fixed for holding the joint convention had now arrived.

Mr. White moved that a committee of three be appointed to wait upon the Senate, and inform that body that the House is ready to meet them in joint convention;

Which motion prevailed.

The Speaker appointed Messrs. White, Mead and McKernan as such committee.

After a short absence the committee reported that they had performed the duty assigned them.

Report accepted and committee discharged.

The Sergeant-at-Arms announced the Honorable the Senate, who were conducted to seats.

## PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President of the Senate.

The roll of the Senate was called by the Secretary of the Senate, and a quorum of the Senators were present.

The roll of the House was called by the Clerk of the House, and a quorum of the members were present.

The President of the Senate announced that the joint convention had assembled for the purpose of receiving any communication from his Excellency the Governor, that he may desire to make.

Senator Jerome moved that a committee of two be appointed to wait upon his Excellency the Governor, to inform him that the two Houses were assembled in joint convention, and ready to receive any communication that he may desire to make;

Which motion prevailed.

The President appointed Senator Jerome and Representative Grier, as such committee.

After a short absence, the committee reported that they had discharged the duty assigned them, and that his Excellency the Governor, would communicate with the joint convention immediately, in writing.

The following communication was then received from his Excellency the Governor, by the hand of his private Secretary, Thomas J. Cobb, Esq.:

EXECUTIVE OFFICE,  
Lansing, Feb. 6, 1867. }

*To the Joint Convention:*

I hereby nominate to the office of Adjutant General, John Robertson.

I also nominate to the office of Quartermaster General, Orrin N. Giddings.

I also nominate to the office of Inspector General, Russell A. Alger.

I also nominate to the office of Trustee of the Michigan

Asylum for educating the Deaf and Dumb, and the Blind, Benjamin Pierson, his term of office having expired.

HENRY H. CRAPO.

Senator Jenness asked that the question might be taken separately on each nomination.

Senator Childs moved that the joint convention do advise and consent to the nomination of John Robertson, to the office of Adjutant General.

The Secretary of the Senate, called the roll of the Senate, with the following result:

YEAS.

Mr. Abell,	Mr. Croswell,	Mr. Pringle,	
Andrews,	Curtenius,	Rich,	
Arms,	Draper,	Sanborn,	
Bitely,	Green,	Seymour,	
Bradley,	Howell,	Shaley,	
Carlton,	Jenness,	Smith,	
Chapman,	Jerome,	Standish,	
Childs,	Latourette,	Turner,	
Olisbee,	Luce,	Wait,	
Collier,	Peters,	Williams,	30

NAYS.

0

The Clerk of the House called the roll of the House, with the following result:

YEAS.

Mr. Aitken,	Mr. Hill,	Mr. Robinson,
Alexander,	Holt,	Rockwood,
Ball,	Hopkins,	Schars,
Barber,	Howard,	Sextor,
Beall,	Huckins,	Shepherd,
Benedict,	Jenness,	Shetterly,
Boies,	Jewell,	Slayton,
Bonine,	J. H. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingeby,	E. Spalding,
O. R. Brown,	Locke,	P. S. Spaulding,
W. G. Brown,	Lockwood,	Spence,
Canniff,	Lovell,	Stannard,
Camburn,	Mallet,	Stevens,
Chauvin,	Mason,	Storrs,
Corey,	McOutcheon,	Sweezy,

Crossman,	McKernan,	Swift,
Deane,	Mead,	Taylor,
Dunlap,	Mickley,	Tompkins,
Dusseau,	Miles,	Van Vleet,
Eck,	Murray,	Walker,
Emerson,	Newcombe,	Warner,
Emery,	L. D. Osborn,	Wells,
Fellows,	W. H. Osborn,	White,
Fenton,	Packard,	Wilcox,
Funston,	Parker,	Willard,
Gallup,	F. Parsons,	Wilson,
Glavin,	S. T. Parsons,	Woodward,
Greenfield,	Parmelee,	Woodman,
Grier,	Pearl,	Wright,
Haven,	Randall,	Speaker,
Healy,		

94

## NAYS.

0

The President announced that a majority of all the members of the joint convention having voted in favor of confirming the nomination of John Robertson, as Adjutant General, the nomination was confirmed.

Senator Clisbee moved that the joint convention do advise and consent to the nomination of Orrin N. Giddings, to the office of Quartermaster General.

The Secretary of the Senate called the roll of the Senate, with the following result:

## YEAS.

Mr. Abell,	Mr. Croswell,	Mr. Pringle,
Andrews,	Curtenius,	Rich,
Arms,	Draper,	Sanborn,
Bitely,	Green,	Seymour,
Bradley,	Howell,	Sheley,
Carlton,	Jenness,	Smith,
Chapman,	Jerome,	Standish,
Childs,	Latourette,	Turner,
Clisbee,	Luce,	Wait,
Collier,	Peters,	Williams,

80

## NAYS.

0

The Clerk of the House called the roll of the House, with the following result:

## YEAS.

Mr. Aitken,  
Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Emerson,  
Emery,  
Fellows,  
Fenton,  
Funston,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,  
Healy,

Mr. Hill,  
Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Mallet,  
Mason,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
L. D. Osborn,  
W. H. Osborn,  
Packard,  
Parker,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,  
Randall,

Mr. Robinson,  
Rockwood,  
Scharf,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Swezey,  
Swift,  
Taylor,  
Tompkins,  
Van Vleet,  
Walker,  
Warner,  
Wells,  
White,  
Wilcox,  
Willard,  
Wilson,  
Woodward,  
Woodman,  
Wright,  
Speaker,

94

## NAYS.

0

The President announced that a majority of all the members of the joint convention having voted in favor of confirming the nomination of Orrin N. Giddings, as Quartermaster General, the nomination was confirmed.

Senator Pringle moved that the joint convention do advise and consent to the nomination of Russell A. Alger to the office of Inspector General.

The Secretary of the Senate called the roll of the Senate, with the following result:

## YEAS.

Mr. Abell,	Mr. Croswell,	Mr. Pringle,
Andrews,	Curtenius,	Rich,
Arms,	Draper,	Sanborn,
Bitely,	Green,	Seymour,
Bradley,	Howell,	Sheley,
Carlton,	Jenness,	Smith,
Chapman,	Jerome,	Standish,
Childs,	Latourette,	Turner,
Clisbee	Luce,	Wait,
Collier,	Peters,	Williams,

80

## NAYS.

0

The Clerk of the House called the roll of the House, with the following result:

## YEAS.

Mr. Aitken,	Mr. Hill,	Mr. Robinson,
Alexander,	Holt,	Rockwood,
Ball,	Hopkins,	Schars,
Barber,	Howard,	Sexton,
Beall,	Huckins,	Shepherd,
Benedict,	Jenness,	Shetterly,
Boies,	Jewell,	Slayton,
Bonine,	J. H. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
C. R. Brown,	Locke,	P. S. Spaulding,
W. G. Brown,	Lockwood,	Spence,
Canniff,	Lovell,	Stannard,
Camburn,	Mallet,	Stevens,
Chauvin,	Mason,	Storrs,
Corey,	McCutocheon,	Sweezey,
Crossman,	McKernan,	Swift,
Deane,	Mead,	Taylor,
Dunlap,	Mickley,	Tompkins,
Dussean,	Miles,	Van Vleet,
Eck,	Murray,	Walker,
Emerson,	Newcombe,	Warner,
Emery,	L. D. Osborn,	Wells,
Fellows,	W. H. Osborn,	White,
Fenton,	Packard,	Wilcox,
Funston,	Parker,	Willard,
Gallup,	F. Parsons,	Wilson,
Glavin,	S. T. Parsons,	Woodward,
Greenfield,	Parmelee,	Woodman,

Grier,  
Haven,  
Healy,

Pearl,  
Randall,

Wright,  
Speaker,

94

## NAYS.

0

The President announced that a majority of all the members of the joint convention, having voted in favor of confirming the nomination of Russell A. Alger, as Inspector General, the nomination was confirmed.

Representative Mead moved that the joint convention do advise and consent to the nomination of Benjamin Pierson, to the office of Trustee of the Asylum for the education of the deaf, dumb and the blind.

The Secretary of the Senate called the roll of the Senate, with the following result.

## YEAS.

Mr. Abell,  
Andrews,  
Arms,  
Bitely,  
Bradley,  
Carlton,  
Chapman,  
Collier,  
Clisbee,  
Collier,

Mr. Croswell,  
Curtenius,  
Draper,  
Green,  
Howell,  
Jenness,  
Jerome,  
Latourette,  
Luce,  
Peters,

Mr. Pringle,  
Rich,  
Sanborn,  
Seymour,  
Sheley,  
Smith,  
Standish,  
Turner,  
Wait,  
Williams,

30

## NAYS.

0

The Clerk of the House called the roll of the House, with the following result:

## YEAS.

Mr. Aitken,  
Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,

Mr. Healy,  
Hill,  
Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,

Mr. Randall,  
Robinson,  
Rockwood,  
Schars,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
L. Smith,  
R. B. Smith,  
E. Spaulding,  
P. S. Spaulding,



Canniff,	Lockwood,	Spence,
Camburn,	Lovell,	Stannard,
Chauvin,	Mallet,	Stevens,
Corey,	Mason,	Storrs,
Crossman,	McCutcheon,	Sweezey,
Deane,	McKernan,	Swift,
Dunlap,	Mead,	Taylor,
Dusseau,	Mickley,	Tompkins,
Eck,	Miles,	Van Vleet,
Emerson,	Murray,	Walker,
Emery,	Newcombe,	Warner,
Fellows,	L. D. Osborn,	Wells,
Fenton,	W. H. Osborn,	White,
Funston,	Packard,	Wilcox,
Gallup,	Parker,	Willard,
Glavin,	F. Parsons,	Woodward,
Greenfield,	S. T. Parsons,	Woodman,
Grier,	Parmelee,	Wright,
Haven,	Pearl,	Speaker,

93

NAYS.

Mr. Wilson,

1

The President announced that a majority of the members of the joint convention having voted in favor of confirming the nomination of Benjamin Pierson, as Trustee of the Asylum for the education of the Deaf, Dumb and the Blind, the nomination was confirmed.

On motion of Senator Childs,

The joint convention adjourned, *sine die*.

THOS. H. GLENN,

*Secretary of the Senate.*

N. B. JONES,

*Clerk of the House of Representatives,  
and Secretaries of the Joint Convention.*

The Honorable Senators then retired.

The House was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced to the House that the two Houses in joint convention had advised and consented to the following nominations made by the Governor: John Robertson, to the office of Adjutant-General; Orrin N. Giddings, to the office of Quar-

ter-Master-General; Russell A. Alger, to the office of Inspector General; and Benjamin Pierson, to the office of Trustee of the Michigan Asylum for educating the Deaf, Dumb and the Blind.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to provide for the resurvey and replatting of the city of Coldwater,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Northville,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, February 5, 1867. }

*To the House of Representatives :*

I have this day approved, signed and deposited, in the office of the Secretary of State, as follows, viz:

An act to authorize fractional union school district number one, of the townships of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds;

Also,

An act to legalize the action of the annual and adjourned school meetings of fractional school district number four and one, of the townships of Pine River and Bethany, in Gratiot county, for the year of our Lord one thousand eight hundred and sixty-six;

Also,

An act to amend an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved March fifteenth, eighteen hundred and sixty-one, by adding thereto a new section;

Also,

Joint resolution directing the board of State Auditors to audit the accounts and claims of the late Secretary of State, for repairing and improving the State House.

HENRY H. CRAPO.

The message was laid on the table.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Deane, previous notice having been given, and leave being granted, introduced

Joint resolution asking the Government of the United States for an appropriation in money for the construction of a harbor at the mouth of the Pentwater and Pere Marquette rivers.

The joint resolution was read a first and second time by its title, and,

ter-Master-General; Russell A. Alger, to the office of Inspector General; and Benjamin Pierson, to the office of Trustee of the Michigan Asylum for educating the Deaf, Dumb and the Blind.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to provide for the resurvey and replatting of the city of Coldwater,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Northville,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }  
Lansing, February 5, 1867. }

*To the House of Representatives :*

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An act to authorize fractional union school district number one, of the townships of Parma, Concord, Spring Arbor and Sandstone, in the county of Jackson, to issue bonds;

Also,

An act to legalize the action of the annual and adjourned school meetings of fractional school district number four and one, of the townships of Pine River and Bethany, in Gratiot county, for the year of our Lord one thousand eight hundred and sixty-six;

Also,

An act to amend an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved March fifteenth, eighteen hundred and sixty-one, by adding thereto a new section;

Also,

Joint resolution directing the board of State Auditors to audit the accounts and claims of the late Secretary of State, for repairing and improving the State House.

HENRY H. CRAPO.

The message was laid on the table.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Deane, previous notice having been given, and leave being granted, introduced

Joint resolution asking the Government of the United States for an appropriation in money for the construction of a harbor at the mouth of the Pentwater and Pere Marquette rivers.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Deane,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the joint resolution was put upon its passage.

The joint resolution was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,	Mr. Healy,	Mr. Randall,
Ball,	Hill,	Robinson,
Barber,	Holt,	Rockwood,
Beall,	Hopkins,	Schars,
Benedict,	Howard,	Sexton,
Bonine,	Huckins,	Sheherd,
Brownell,	Jenness,	Slayton.
A. S. Brown,	Jewell,	L. Smith,
O. R. Brown,	J. H. Jones,	R. B. Smith,
W. G. Brown,	Kingsbury,	E. Spalding,
Canniff,	Locke,	P. S. Spaulding,
Camburn,	Lockwood,	Spence,
Chauvin,	Lovell,	Stannard,
Corey,	Mallet,	Stevens,
Crossman,	Mason,	Storrs,
Deane,	McCutcheon,	Swezey,
Dunlap,	McKernan,	Swift,
Dusseau,	Mead,	Taylor,
Eck,	Mickley,	Tompkins,
Emerson,	Miles,	Walker,
Emery,	Murray,	Wells,
Fellows,	Newcombe,	White,
Fenton,	L. D. Osborn,	Wilcox,
Funston,	W. H. Osborn,	Willard,
Gallup,	Packard,	Wilson,
Glavin,	Parker,	Woodward,
Greenfield,	F. Parsons,	Woodman,
Grier,	S. T. Parsons,	Wright,
Haven,	Pearl,	Speaker,

87

## NAYS.

0

Title and preamble agreed to.

Mr. Tompkins gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Delta, in Eaton county, to raise money for the purposes therein mentioned.

Mr. L. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 237, of the session laws of 1865.

Mr. Hill gave notice that on some future day he would ask leave to introduce

A bill for the relief of railroads in the Upper Peninsula.

Mr. Corey gave notice that on some future day he would ask leave to introduce

A bill to authorize fractional school district No. 1, Saline, to borrow money, and for other purposes.

Mr. Stannard gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to amend an act entitled an act, to amend sections 11 and 127, of chapter 117 of the compiled laws, relative to security for costs in justices courts.

Mr. S. T. Parsons gave notice that on some future day he would ask leave to introduce

A bill providing for the improvement of the State or main road from Chesaning, in the county of Saginaw, south through the village of Cornuna, to the Grand River road, in the county of Shiawassee, and appropriating swamp lands therefor.

Mr. Swezey gave notice that on some future day he would ask leave to introduce

A bill to authorize the city of Grand Rapids, and any one or more of the townships of the counties of Kent, Ottawa and Muskegon, to issue bonds and loan their credit to aid in the construction of a railroad from Grand Rapids to the village of Muskegon;

Also,

A bill to incorporate the village of Middleville, in the county of Barry.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to authorize the town of Canton to vote to raise by tax a sum of money to refund advances made for bounties.

Mr. Spence gave notice that on some future day he would ask leave to introduce

A bill to provide for the geological survey of the State.

Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill to authorize Edmund Burroughs to build a dam across Flat river, in the township of Vergennes, in Kent county.

Mr. Healey gave notice that on some future day he would ask leave to introduce

A bill to amend section 1259, of the compiled laws, being section 19, of chapter thirty-one, of the revised statutes of 1846, relative to weights and measures.

Mr. Emerson gave notice that on some future day he would ask leave to introduce

A bill to amend section 3, of act No. 20, of the session laws of 1864, being an act entitled an act to accept the grant of lands made to the State of Michigan by the United States, to aid in the construction of a military road from Fort Wilkins, Copper Harbor, to the Wisconsin State line, and to provide for the laying out and construction of the same.

Mr. R. B. Smith offered the following:

*Resolved*, (The Senate concurring,) That a joint committee consisting of three members of the House and two from the Senate be appointed, to inquire by what authority, if any, the so-called Detroit & Milwaukee Railroad Company are exercising the powers and privileges of a corporate body, with power to send for persons and papers, and to report by bill or otherwise.

Laid on the table for one day, under the rules.

Mr. Huckins offered the following:

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of amending the laws regulating elections, so as to prevent deserters and bounty-jumpers from voting, and report by bill or otherwise;

Which was adopted.



Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill to regulate the price of carrying freight by the Detroit & Milwaukee Railroad company.

Mr. Corey gave notice that on some future day he would ask leave to introduce

A bill to define and limit the amount of money which may be granted and voted by the qualified electors of townships for the purpose of erecting town halls, or other buildings for the public use of the inhabitants thereof

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to provide for the inspection of illuminating oils manufactured from petroleum and coal oils.

Mr. Lockwood offered the following:

*Resolved*, That the committee on State affairs be instructed to inquire into the expediency of so altering and amending the law providing for license of State swamp lands to actual settlers so as to give the settler six months instead of three months to file his affidavit and the certificate of settlement. Also to so amend the law as that in case of abandonment the title acquired by the certificate of settlement will expire in one year;

Which was adopted.

Mr. Newcombe gave notice that on some future day he would ask leave to introduce

A bill to enlarge the corporate powers and privileges of the First Congregational Society, of East Saginaw.

Mr. McKernan moved that the committee of the whole be discharged from the further consideration of House joint resolution No. 11, entitled

Joint resolution asking Congress for an appropriation of money to improve Portage Lake and river, in Houghton county;

Which motion prevailed.

On motion of Mr. McKernan,

The joint resolution was placed on the order of third reading.

Mr. Lockwood moved to discharge the committee of the whole

from the further consideration of House joint resolution No. 10, entitled

Joint resolution asking Congress to make money appropriations for the survey of the harbor of Alpena, at the mouth of Thunder Bay river, and for building a light house, and making other improvements thereat;

Which motion prevailed.

On motion of Mr. Lockwood,

The joint resolution was placed on the order of third reading.

Mr. S. T. Parsons moved to take from the table House manuscript bill, entitled

A bill to authorize school district No. 1, of the township of Eureka, to purchase a school-house site or sites, and to dispose of the present site;

Which motion prevailed.

On motion of Mr. S. T. Parsons,

The bill was recommitted to the committee on the judiciary.

Mr. L. Smith gave notice that on some future day he would ask leave to introduce

A bill to appropriate certain non-resident highway taxes for the improvement of certain roads in Gratiot county.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to amend section 26, of chapter 88, and section 16 of chapter 175, of the compiled laws, relative to registers of deeds.

Mr. Dunlap, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditch, from Sutton's Bay, in the county of Leelanaw, westerly to Glen Arbor, in the same county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Dunlap, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Midland City to Traverse City.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Shetterly, previous notice having been given, and leave being granted, introduced

A bill to authorize the levying of a tax in the township of Macomb, in the county of Macomb, State of Michigan, for the purpose of paying the principal and interest of moneys, advanced without authority of law, by certain persons, for bounties to volunteers, to aid in suppressing the late rebellion.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches, from Tawas city, in the county of Iosco, westerly, to intersect with the Grand Traverse and Midland State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches, from Isabella city, in the county of Isabella, northerly, to intersect with the Ionia, Houghton Lake and Mackinac State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Spence, previous notice having been given, and leave being granted, introduced

A bill to regulate the practice of dentistry in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Glavin, previous notice having been given, and leave being granted, introduced

A bill to amend section 28, of an act entitled "an act to provide for assessing property at its true cash value, and for levying and collecting taxes thereon, approved February 14, 1853, being section 809 of the compiled laws."

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend an act entitled an act to incorporate the Detroit and Lake St. Clair Plank Road Company.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend act number 100, of the session laws of 1848, incorporating the Detroit and Saline Plank Road Company, by adding a new section.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill relative to the discontinuing of State roads.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Wells, previous notice having been given, and leave being granted, introduced

A bill to incorporate the Board of Trustees of the Michigan Universalist State Convention.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Swezey, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number eight, of the town-

ship of Castleton, in the county of Barry, to issue bonds and borrow money for the purpose of building a school-house.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Sweezey, previous notice having been given, and leave being granted, introduced

A bill to authorize union school district number one, of the township of Hastings, in the county of Barry, to issue bonds and borrow money for the purpose of building a school-house.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Warner, previous notice having been given, and leave being granted, introduced

A bill to amend sections eight and thirty-eight, of chapter one hundred and nine, of the revised statutes of 1846, being chapter 185, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Healy, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Negaunee under a special charter.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

#### THIRD READING OF BILLS AND RESOLUTIONS.

Senate bill No. 15, entitled

A bill supplementary to section nineteen, of an act entitled an act disposing of certain grants of land made to the State of Michigan for railroad purposes, by an act of Congress, approved June 3, eighteen hundred and fifty-six, approved February fourteenth, eighteen hundred and fifty-seven, and to an act approved February 5th, eighteen hundred and sixty-four, and also to an act entitled "an act to confer an additional grant of public lands upon the Grand Rapids and Indiana Railroad Company," approved March 10, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,	Mr. Jewell,	Mr. Schars,
Ball,	Kedzie,	Sexton,
Barber,	Kingsbury,	Shepherd,
Beall,	Locke,	Slayton,
Benedict,	Lockwood,	L. Smith,
Boies,	Lovell,	R. B. Smith,
Bonine,	Mallet,	E. Spalding,
A. S. Brown,	Mason,	P. S. Spaulding,
O. R. Brown,	McCutcheon,	Stannard,
W. G. Brown,	McKernan,	Stevens,
Canniff,	Mead,	Storrs,
Corey,	Mickley,	Sweezey,
Eck,	Miles,	Taylor,
Emery,	Murray,	Tompkins,
Fenton,	Newcombe,	Walker,
Funston,	L. D. Osborn,	Warner,
Glavin,	W. H. Osborn,	Wells,
Grier,	Packard,	White,
Haven,	Parker,	Wilcox,
Healy,	F. Parsons,	Willard,
Hill,	S. T. Parsons,	Woodward,
Howard,	Parmelee,	Woodman,
Huckins,	Randall,	Wright,
Jenness,	Robinson,	Speaker, 73

## NAYS.

Mr. Brownell,	Mr. Emerson,	Mr. J. H. Jones,
Camburn,	Fellows,	Pearl,
Chauvin,	Gallup,	Rockwood,
Crossman,	Greenfield,	Shetterly,
Deane,	Holt,	Spence,
Dunlap,	Hopkins,	Wilson,
Dusseau,		19

Title agreed to.

House joint resolution No 10, entitled

Joint resolution asking Congress to make money appropriations for the survey of the harbor of Alpena, at the mouth of Thunder Bay River, and for building a light house, and making other improvements thereat,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,	Mr. Hill,	Mr. Randall,
Barber,	Holt,	Robinson,
Beall,	Hopkins,	Rockwood,
Benedict,	Howard,	Schars,
Boies,	Huckins,	Shepherd,
Bonine,	Jenness,	Shetterly,
Brownell,	Jewell,	Slayton,
A. S. Brown,	J. H. Jones,	L. Smith,
C. R. Brown,	Kedzie,	R. B. Smith,
W. G. Brown,	Kingsbury,	E. Spalding,
Canniff,	Locke,	P. S. Spaulding,
Camburn,	Lockwood,	Spence,
Chauvin,	Mallet,	Stannard,
Corey,	Mason,	Stevens,
Crossman,	McCutcheon,	Swezey,
Deane,	McKernan,	Swift,
Dunlap,	Mead,	Taylor,
Dussean,	Mickley,	Tompkins,
Eck,	Miles,	Walker,
Emerson,	Murray,	Warner,
Emery,	Newcombe,	Wells,
Fellows,	L. D. Osborn,	White,
Fenton,	W. H. Osborn,	Wilcox,
Funston,	Packard,	Willard,
Gallup,	Parker,	Wilson,
Glavin,	F. Parsons,	Woodward,
Greenfield,	S. T. Parsons,	Woodman,
Grier,	Parmelee,	Wright,
Haven,	Pearl,	Speaker,
Healy,		

88

## NAYS.

0

Title and preamble agreed to.

House joint resolution No. 11, entitled

Joint resolution asking Congress for an appropriation of money to improve Portage lake and river, in Houghton county,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. McKernan asked and obtained the unanimous consent of the House, to amend the joint resolution by striking out the word "entry," in line four of the first resolution, and inserting

in lieu thereof the words "Portage Lake;" also by striking out the words "to the State of Michigan," in the third line of the same resolution.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,	Mr. Hill,	Mr. Randall,
Ball,	Holt,	Robinson,
Barber,	Hopkins,	Rockwood,
Beall,	Howard,	Schars,
Benedict,	Huckins,	Shepherd,
Boies,	Jenness,	Shetterly,
Bonine,	Jewell,	Slayton,
A. S. Brown,	J. H. Jones,	L. Smith,
C. R. Brown,	Kedzie,	R. B. Smith,
W. G. Brown,	Kingsbury,	E. Spalding,
Canniff,	Locke,	P. S. Spaulding,
Camburn,	Lockwood,	Spence,
Chauvin,	Lovell,	Stannard,
Corey,	Mallet,	Stevens,
Crossman,	Mason,	Storrs,
Deane,	McCutcheon,	Sweezey,
Dunlap,	McKernan,	Swift,
Dussean,	Mead,	Taylor,
Eck,	Mickley,	Tompkins,
Emery,	Miles,	Walker,
Emerson,	Murray,	Warner,
Fellows,	Newcombe,	Wells,
Fenton,	L. D. Osborn,	White,
Funston,	W. H. Osborn,	Wilcox,
Gallup,	Packard,	Willard,
Glavin,	Parker,	Wilson,
Greenfield,	F. Parsons,	Woodward,
Grier,	S. T. Parsons,	Woodman,
Haven,	Parmelee,	Wright,
Healy,	Pearl,	Speaker,

90

## NAYS.

Title and preamble agreed to.

## UNFINISHED BUSINESS,

Being the consideration of the following resolution:

*Resolved*, (the Senate concurring,) That the House of Representatives will meet the Senate in joint convention, to act on



nominations by the Governor, on Thursday next, February 7th, at three o'clock P. M.

On motion of Mr. Walker,

The resolution was laid on the table.

SPECIAL ORDER.

On motion of Mr. Swift,

The House went into committee of the whole, on the special order,

Mr. Swift in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following concurrent resolution:

*Whereas*, There are over two millions of acres of valuable lands called "railroad lands," which are mainly located in the most recently settled portion of the State, and have been withheld from sale for about ten years past, greatly to the hindrance of the settlement of the country, the laying out and construction of roads, the organization and maintenance of schools and churches, and the full development of the wealth of the State, and which withholding from sale of said lands is a just cause of complaint by the people where they are located;

*And whereas*, A sale of those lands at public auction, to the highest bidder, after due public notice, would open them to settlement, and secure their full value for the construction of the contemplated railroads, without sacrifice, and thus greatly promote the settlement, growth, and development of the State, and hasten the construction of the railroads, for which purpose they were generously donated by the United States, and thus remove all cause of complaint above alluded to; therefore,

*Resolved*, (The Senate concurring,) That our Senators in Congress be and they are hereby instructed, and our Representatives, (in Congress,) requested to vote for, and use their influence to obtain the passage of a law by Congress, allowing the railroad lands of this State to be publicly advertised and

sold at public vendue, to the highest bidder, in the usual Government subdivisions, at the respective land offices where located, provided no bid shall be received less than \$4 per acre, and all lands not thus sold, to be subject to private entry after such public sale, at \$4 per acre, and the proceeds of all such lands to be retained in trust for the construction of the respective railroads for which they were donated, and be paid over to them when they are entitled to the same, on the same terms and conditions as the lands would have been made over to them, had they not been sold: *Provided*, The same can be done without any violation of plighted faith on the part of Congress, or of this State, and without disturbing the present vested rights: *And provided further*, That in such sales preference shall be given to actual settlers, and that no one person be allowed to purchase more than 320 acres of such lands.

*And be it further resolved*, That the Governor be authorized and requested to forward a copy of these preamble and resolutions, properly signed by the President of the Senate, and Speaker of the House of Representatives, to each of our Senators and Representatives in Congress, immediately after the passage of the same;

To which is pending the following substitute:

*Resolved, by the Senate and House of Representatives of the State of Michigan*, That the Governor is hereby authorized and directed, to appoint, without unnecessary delay, three competent and disinterested persons as commissioners, whose duty shall be to inquire into the natural capabilities of the lands granted by the general government to aid in the construction of railroads, in the State; also, to inquire into the geographical and consequent economical relations existing, and likely to exist, between the lines of the several land-grant railroads in this State, and between them and other railroads; and likewise inquire and determine what action, State and National, is in their opinion, necessary and practicable to render said lands most available for the best interests of Michigan, and report to

the Legislature of this State, at its next session, by bill, resolution, or otherwise, as they shall see fit.

GEO. W. SWIFT, *Chairman*.

Report accepted.

On motion of Mr. Randall,

The House took a recess until two o'clock this afternoon.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Greenfield asked and obtained leave of absence for Mr. Stevens, until to-morrow morning.

SPECIAL ORDER OF THE DAY,

Being the consideration of House joint resolution No. 9, entitled

Joint resolution relative to restoration.

On motion of Mr. Warner,

The joint resolution was recommitted to the committee on federal relations.

GENERAL ORDER.

On motion of Mr. S. T. Parsons,

The House went into committee of the whole, on the general order,

Mr. McKernan in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 13, as amended, entitled

A bill to amend sections eleven and thirteen, of chapter one hundred and fifty, of the revised statutes of A. D. 1846, the same being sections 5647 and 5649 of the compiled laws;

2. House bill No. 62, entitled

A bill to amend section 994 of the compiled laws;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bill:

3. House bill No. 45, entitled

A bill to provide for the erection of a monument to the memory of the Michigan soldiers and sailors, who lost their lives in the war of the late rebellion, together with a suitable building-tin which to preserve the records, ensigns, and trophies of the war,

And have directed their chairman to report the same back to the House with the recommendation that it be laid on the table.

The committee of the whole have also had under consideration the following entitled bills:

4. House bill No. 33, entitled

A bill to repeal all existing laws, rules, and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counselor for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit court;

5. House bill No. 47, entitled

A bill to authorize and require the supervisors of the township of Hope, in the county of Barry, to assess, levy and authorize the collection of a tax in said township, to refund the sum of seven hundred dollars, raised and advanced by the inhabitants of said township to pay bounties to volunteers;

6. House bill No. 73, entitled

A bill to authorize the board of trustees of fractional union school district number one, of the city of Grand Rapids, to borrow money;

7. House bill No. 68, entitled

A bill to change the name of the village of Mill Point to that of Spring Lake;

## 8. House bill No. 72, entitled

A bill to amend section 364, of the compiled laws of 1857, relating to the compensation of the members of boards of supervisors;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

JOHN Q. McKERNAN, *Chairman.*

Report accepted and committee discharged.

Mr. Woodman moved that the House concur in the action of the committee, in striking out all after the enacting clause, of the first named bill.

Mr. Sweezey demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Haven,	Mr. Robinson,
Alexander,	Hill,	Rockwood,
Ball,	Howard,	R. B. Smith,
Barber,	Lockwood,	P. S. Spaulding,
Beall,	Mason,	White,
Benedict,	Mickley,	Wilcox,
Boies,	W. H. Osborn,	Willard,
A. S. Brown,	Packard,	Wilson,
W. G. Brown,	F. Parsons,	Woodward,
Canniff,	Parmelee,	Wright,
Dunlap,	Randall,	Speaker,
Dusseau,		

34

## NAYS.

Mr. Bonine,	Mr. Holt,	Mr. Pearl,
Brownell,	Hopkins,	Schars,
C. R. Brown,	Huckins,	Sexton,
Camburn,	Jenness,	Shepherd,
Chauvin,	Jewell,	Shetterly,
Corey,	J. H. Jones,	Slayton,
Crossman,	Kedzie,	E. Spalding,
Deane,	Kingsbury,	Spence,
Eck,	Locke,	Stannard,
Emerson,	Mallet,	Storrs,
Emery,	McKernan,	Sweezey,
Fellows,	Mead,	Swift,

Fenton,  
Funston,  
GaHup,  
Glavin,  
Greenfield,  
Grier,  
Healy,

Miles,  
Murray,  
Newcombe,  
L. D. Osborn,  
Parker,  
S. T. Parsons,

Taylor,  
Tompkins,  
Walker,  
Warner,  
Wells,  
Woodman,

55

On motion of Mr. Woodman,

The bill was recommitted to the committee on the judiciary.

On motion of Mr. Kedzie,

The action of the committee, in striking out all after the enacting clause, of the second named bill, was concurred in, and the enacting clause was laid on the table.

On motion of Mr. Crossman,

The recommendation of the committee that the third named bill be laid on the table, was concurred in.

The fourth, fifth, sixth, seventh and eighth named bills were placed on the order of third reading.

On motion of Mr. Camburn,

The House adjourned until to-morrow morning, at ten o'clock

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*Lansing, Thursday, February 7, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

Absent at roll-call, without leave, Messrs. Aitken, Lovell and VanVleet.

Mr. Rockwood asked and obtained leave of absence for Mr. Aitken, until to-morrow morning.

Mr. Fellows asked and obtained leave of absence for Mr. Lovell, until to-morrow morning.

Mr. Rockwood asked and obtained leave of absence for Mr. VanVleet, until to-morrow morning.

#### PRESENTATION OF PETITIONS.

By Mr. Newell: petition of James M. Geel and many others, citizens of the township of Port Huron, St. Clair county, pray-

ing for the enactment of a law to authorize the said town to refund certain moneys subscribed by citizens, to raise a fund to fill the quota of said town, under the call of the President.

Referred to the committee on bounties.

By Mr. Newell: petition of James Talbot and 140 others, citizens of the city of Port Huron, St. Clair county, praying for the discontinuance of the policy heretofore known as the special land grants;

Also, petition of W. H. Balentine and 29 others, citizens of the township of Brockway, St. Clair county, for the same purpose.

Referred to the committee on public lands.

By Mr. Newell: petition of E. W. Harris and 80 others, citizens of Port Huron, praying for a State bounty to be paid to soldiers of this State who enlisted in the year 1864.

Referred to the committee on bounties.

By Mr. E. Spalding: petition of E. R. Emmons and 31 others, business men of the township of Orion, in the county of Oakland, asking a law making all railroad companies doing business in this State, responsible for all damage occurring by fire to all goods, wares and merchandise, while in their hands for delivery.

Referred to the committee on the judiciary.

By Mr. Kingsbury: petition of L. R. Randall, W. D. Talford and 100 others, citizens of Grand Rapids, asking the enactment of a law making all railroad companies doing business in this State, responsible for loss or damage by fire to all goods and merchandise left with them for transportation, while in depot or cars of said railroad companies, and while in their hands for delivery.

Referred to the committee on the judiciary.

By Mr. Corey: petition of the inhabitants and tax-payers of school district number one, of the township of Saline, asking for a law to enable said district to borrow money, and for other purposes.

Referred to the committee on local taxation.

By Mr. Funston: petition of John Neeper and 285 others, citizens of the township of Imlay, Lapeer county, for the construction of certain drains or ditches, in the townships of Lynn, Brockway and Emmet, St. Clair county, and asking an appropriation of State swamp land therefor.

Referred to the committee on public lands.

By Mr. W. G. Brown: petition of S. H. Ludlow, D. D. Gillett, Richard Townley, C. Pope and 65 others, residents of the township of Springport, Jackson county, against any further appropriation to the Agricultural College.

Also, petition of John E. DeYoe, Eben Comstock, M. S. Brown and 58 others, residents of the township of Springport, Jackson county, for the same purpose.

Referred to the committee on education.

By Mr. Bonine: memorial and remonstrance of Nathaniel Bacon and 4 others, on the subject of enlarging the corporate limits of the city of Niles.

Referred to the committee on banks and incorporations.

By Mr. Bonine: petition of G. W. Pratt and 27 others, citizens of Niles, Berrien county, praying for the passage of a law to punish the keepers of saloons, and other places of public resort, for harboring minors, and permitting them to engage in games of chance within their establishments.

Referred to the committee on the judiciary.

By Mr. Greenfield: remonstrance of the board of supervisors of Tuscola county, against any division of said county.

Referred to the committee on towns and counties.

By Mr. Fenton: petition of W. H. Maultby and 54 others, of Cheboygan county, praying for aid to improve the rapids of Cheboygan river.

Referred to the committee on internal improvements.

By Mr. J. H. Jones: petition of B. F. Wheat, Havans Wilber and 17 others, citizens of Quincy, praying for such legislation as will compel the Michigan Southern Railroad Co to afford proper and reasonable facilities to the citizens of this State.

Referred to the committee on internal improvements.



By Mr. Holt: petition of James Bull and 12 others, citizens of Wayland, Allegan county, praying for the passage of a law to protect the people from injury by incompetent dental practitioners.

Referred to the committee on education.

By Mr. Brown: petition of Austin Beaman and 50 others, citizens of Watervliet, in the county of Berrien, praying for the passage of an act in aid of the construction of the Chicago and Michigan Grand Trunk Railroad, authorizing the counties through which the line of said road is established, and the cities, villages and townships of said counties, to subscribe to the capital stock of said company, and to loan or donate moneys in aid of the construction of said road from Lansing to the Indiana State line.

Referred to the committee on internal improvements.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill relative to the discontinuing of State roads, by the commissioners of highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. A. S. Brown,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on harbors:

The committee on harbors to whom was referred

A bill to appropriate swamp lands, for opening a channel at the mouth of the river Du Fil, in Huron county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. G. EMERSON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking Congress for an appropriation in money to aid in the construction of a harbor at New Buffalo, Berrien county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. E. MICKLEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Glavin,

The joint resolution was placed on the order of third reading.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution calling the attention of Congress to the great national importance of fortifying the island of Mackinac, and the Sault St. Marie, at the falls of the Ste. Marie,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

CHARLES E. MICKLEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Fenton,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on rules and joint rules:

The committee on rules and joint rules, to whom was referred the following resolution, to wit:

*Resolved*, That the committee on rules and joint rules be instructed to compile the rules of this House into an arrangement by topics, for more convenient reference, together with such amendments as they may deem advisable, and that the report of such committee be received and considered by this House, before the new manual shall be printed,

Respectfully report that they referred the matter of said resolutions to Mr. Crossman, a member of this committee, who prepared the following compilation and revision of said rules, which was considered and unanimously adopted by the committee, who have directed me to report the same to the House, with the recommendation that the same be adopted as the rules of this House, and ask to be discharged from the further consideration of the subject.

ELISHA F. MEAD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Crossman,

The rules were ordered printed, and made the special order for to-morrow afternoon, at 2 o'clock.

The following are the rules as reported:

## RULES OF THE HOUSE OF REPRESENTATIVES.

### CHAPTER I.

#### POWERS AND DUTIES OF THE SPEAKER.

RULE 1. The Speaker shall take the chair each day at the hour to which the House shall have adjourned. He shall call the members to order, and except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

**RULE 2.** He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House, on which appeal no member shall speak more than once, unless by leave of the House.

**RULE 3.** He shall appoint all committees, except where the House shall otherwise order.

**RULE 4.** He may substitute any member to perform the duties of the chair, but not for a longer time than one day, except by leave of the House.

**RULE 5.** When the House shall have decided to go into committee of the whole, he shall name a chairman to preside therein.

**RULE 6.** He shall vote on all elections or divisions called for by any member, and, on all questions taken by yeas and nays, except on appeals from his own decisions.

**RULE 7.** He shall distinctly put all questions in this form, to wit: "As many as are of opinion that (as the question may be) say Aye," and after the affirmative voice is expressed, "As many as are of the contrary opinion, say No." If the Speaker doubt, or a division be called for, the House shall divide; those voting in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

## CHAPTER II.

### DUTIES OF THE CLERK.

**RULE 8.** Upon the announcement by the Clerk, that a quorum of the House is present, the journal of the preceding day shall be read, unless otherwise ordered by the House, and any mistake therein corrected.

**RULE 9.** The Clerk shall make a list of all bills, resolutions, reports of committees, and other proceedings of the House, which are committed to a committee of the whole House, and which are not made a special order for any particular day, and shall number the same, which list shall be called the "General orders of the day," and they shall be taken up in the order in

which they are numbered and on file, unless otherwise ordered by a majority of the House.

**RULE 10.** He shall make up and complete the journal of the House, in conformity with the rules; keep the several orders of business separate and distinct, and keep on file the several bills in the order of third reading in the order in which they were received from the committee of the whole House.

### CHAPTER III

#### ORDER OF BUSINESS.

**RULE 11.** On the meeting of the House, after correcting the journal of the preceding day, the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Communications from State Officers.
6. Messages from the Senate.
7. Notices.
8. Introduction of Bills.
9. Third Reading of Bills.
10. Motions and Resolutions.
11. Unfinished Business.
12. Special Orders of the day.
13. General Orders of the day.

### CHAPTER IV.

#### RIGHTS AND DUTIES OF MEMBERS.

**RULE 12.** When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to "Mr. Speaker," and shall confine himself to the question under debate, and avoid personality.

**RULE 13** Every member who shall be within the bar of the House when a question is stated from the chair shall vote

thereon, unless he is excused by the House, or unless he be directly interested in the question, and no member shall be obliged to vote on any question, unless he be within the bar when the question is so stated.

RULE 14. If any member in speaking, transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, and shall not rise unless to explain or proceed in order.

RULE 15. When two or more members rise at once, the Speaker shall name the member who is first to speak.

RULE 16. No member shall speak more than once to the same question, without leave of the House, unless he be the mover of the matter pending, or chairman of the committee who reported the same, in which case he shall be permitted to speak in reply.

RULE 17. When the House adjourns, the members shall keep their seats until the Speaker announces the adjournment.

RULE 18. A majority of the members elected to the House shall constitute a quorum; but any fifteen members shall be authorized to compel the attendance of absent members.

RULE 19. While the Speaker is putting any question, no member shall walk out of or across the House; nor in such case, or when a member is speaking, shall entertain private discourse, or pass between him and the Chair.

RULE 20. Every member presenting a paper containing subject matter for the consideration of the House shall endorse the same; if a petition, memorial or report, with a brief statement of its subject or contents, adding his name; if a notice or resolution, with his name; if a report of a committee, a statement of such report, with the name of the committee and member making the same; if a bill, a statement of its title, with his name.

RULE 21. Upon calls of the House, or in taking the yeas and nays upon any question, the names of the members shall be called alphabetically.

**RULE 22.** Upon calls of the House, the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over; the doors shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for and taken into custody wherever found, by the Sergeant-at-Arms or the special messenger of the House.

## CHAPTER V.

### MOTIONS.

**RULE 23.** When a motion is made and seconded, it shall be stated by the Speaker; or being in writing, it shall be handed to the Chair and read aloud by the Clerk, before debated.

**RULE 24.** Every motion shall be reduced to writing if the Speaker or any member desire it, and shall be entered upon the journal, together with the name of the member making it, whether withdrawn, rejected or adopted.

**RULE 25.** After a motion has been stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before a decision or amendment.

**RULE 26.** When a question is under debate, no motion shall be received but the following, and they shall have precedence in the order in which they stand arranged, to wit:

1. To adjourn;
2. To lie on the table;
3. For the previous question;
4. To postpone to a day certain;
5. To commit;
6. To amend;
7. To postpone indefinitely; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the question.

**RULE 27.** A motion to adjourn shall always be in order;

that, and the motion to lie on the table, shall be decided without debate.

**RULE 28.** The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present; and its effect shall be to put an end to all debate, and bring the House to a direct vote upon a motion to commit, if such motion shall have been made; and if this motion does not prevail, then upon amendments reported by a committee, if any; then upon pending amendments, and then upon the main question. If the House shall refuse to order the main question, the consideration of the subject shall be resumed, as though no motion for the previous question had been made. On a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

**RULE 29.** All incidental questions of order, arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise without debate.

**RULE 30.** All questions shall be put in the order they were moved, except in the case of privileged questions; and in the filling up of blanks, the largest sum and the longest time shall be first put.

**RULE 31.** Any member may call for the division of a question, which shall be divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed indivisible.

**RULE 32.** Any member who voted on that side of a question which prevailed, may move for a reconsideration thereof on the same or next succeeding day, and such motion shall take precedence of all other questions, except a motion to adjourn, but shall not be renewed on the same day.

**RULE 33.** No motion or proposition on a subject different



from that under consideration, shall be admitted under color of amendment.

## CHAPTER VI.

### COMMITTEE OF THE WHOLE.

RULE 34. When the House shall have arrived at the "General orders of the day," they shall go into committee of the whole upon such orders, or a particular order, designated by a vote of the House, and no business shall be in order until the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up, the committee of the whole shall consider, act upon, or pass the general orders, according to the order of their reference.

RULE 35. In committee of the whole House, bills shall first be read through by the Clerk, and then read and debated by clauses or sections, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments shall be entered on a separate piece of paper, and reported to the House by the chairman, standing in his place.

RULE 36. A motion that the committee rise, shall always be in order, and shall be decided without debate.

RULE 37. The rules of the House shall be observed in committee of the whole House, so far as they may be applicable, except that the yeas and nays shall not be called, the previous question enforced, nor the time of speaking limited.

## CHAPTER VII.

### COMMITTEES.

RULE 38. The following standing committees, to consist of five members each, shall be appointed at the commencement of the session:

A Committee on Ways and Means;

" " State Affairs;

" " Judiciary;

" " Harbors;

" " Elections;

**A Committee on Federal Relations;**

- " " Banks and Incorporations;
- " " Public Lands;
- " " Printing;
- " " Agriculture;
- " " Towns and Counties;
- " " Education;
- " " Rules and Joint Rules;
- " " Engrossment and Enrollment;
- " " Roads and Bridges;
- " " Asylum for the Insane;
- " " Asylum for the Deaf, Dumb and Blind;
- " " Geological Survey;
- " " Military Affairs;
- " " Salines;
- " " State Prison;
- " " Mines and Minerals;
- " " Manufactures;
- " " Lumber Interests;
- " " Religious and Benevolent Societies;
- " " Insurance;
- " " Local Taxation;
- " " Fisheries;

**A Committee on Internal Improvements to consist of seven members. And the following committees to consist of three members each:**

**A Committee on Supplies and Expenditures;**

- " " State Library;
- " " Indian Affairs;
- " " Reform School.

**RULE 39.** The first named member of any committee shall be the chairman, unless the committee, by a majority of their number, elect a chairman.

**RULE 40.** No committee shall sit during the sitting of the House, without special leave, nor shall employ a clerk at the public expense, without first obtaining leave of the House for that purpose.

**RULE 41.** The committee on engrossment and enrollment shall examine all bills originating in the House which shall have passed both Houses, see that the same are correctly enrolled, and report to the House the day on which they are severally presented to the Governor for his signature.

## CHAPTER VIII.

### BILLS.

**RULE 42.** Every bill shall be introduced on the report of a committee, or by motion for leave; in the latter case, at least one day's notice shall be given, which notice shall be in writing and shall contain the title of the bill.

**RULE 43.** Every bill and joint resolution shall receive three several readings, previous to its passage; the first and second readings may be by its title only, but the third reading shall be in full and on a day subsequent to that on which it received its second reading, or passed the committee of the whole House.

**RULE 44.** Every bill and joint resolution reported upon by a committee, with the recommendation that the same "do pass," shall be printed, referred to the committee of whole and placed on the general order.

**RULE 45.** No bill or joint resolution shall be committed or amended, until it has passed its first and second reading.

**RULE 46.** On the final passage of every bill and joint resolution, the vote shall be taken by yeas and nays, and entered upon the journal; and no bill or joint resolution shall be declared passed, unless a majority of all the members elected to the House shall have voted in favor of the passage of the same.

**RULE 47.** No bill or joint resolution appropriating the public money or property for local or private purposes, shall be declared passed, unless two-thirds of all the members elected to the House shall have voted in favor of the passage of the same.

**RULE 48.** Every bill or joint resolution transmitted from the Senate, shall receive the several readings, be committed, and

treated in all respects as though the same originated in the House.

RULE 49. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend; and, if carried, shall be considered equivalent to its rejection.

RULE 50. When notice of the intention to move the reconsideration of any bill or joint resolution shall be given by a member, the Clerk of the House shall retain the said bill or joint resolution until after the time expires during which the said motion can be made.

RULE 51. The title of every bill shall express the subject to which the bill relates; and if the bill proposes any amendment to existing laws established prior to 1857, the title shall contain also the section and chapter of the compiled laws, which the bill proposes to amend.

## CHAPTER IX.

### MISCELLANEOUS.

RULE 52. No person, unless introduced by a member, shall be admitted within the bar of the House, except the Executive, members of the Senate, the heads of the Departments of the State Government, Judges of the Supreme Court, Circuit Judges, members of Congress, those who have been members of Congress, of the Constitutional Convention of this State, of the State Legislature, and such other persons as the Speaker shall assign places as reporters.

RULE 53. Every order, or concurrent resolution, to which the concurrence of the Senate shall be necessary, shall be read to the House and laid upon the table on a day preceding its passage.

RULE 55. Upon the passage of any question, the vote shall be taken by yeas and nays, and entered upon the journal of the House, when demanded by any ten members.

RULE 54. No newspapers or other matter foreign to the business of the House, shall be read within its bar, during the sessions thereof.

**RULE 56.** The rules of parliamentary practice comprised in Jefferson's manual, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House.

**RULE 57.** Any rule of the House may be suspended, altered or amended, with the expressed concurrence of two-thirds of the members present.

**RULE 58.** Any question which requires, under the rule, a two-thirds majority to adopt, being lost, may be reconsidered by a majority vote.

**RULE 59.** When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the House.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred the petition of H. W. Crawford, Dennis Miller and 84 others, residents of the townships of Brighton and Fremont, asking for the organization of the township of Grafton, Newaygo county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to organize the township of Grafton, Newaygo county,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred Senate bill No. 60, entitled

A bill to attach certain towns, in the county of Newaygo, to the township of Barton, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Ingallston, in the county of Menominee,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of S. J. French, Geo. L. Ames and 28 others, physicians of the Kalamazoo Valley Medical Association, for the passage of a law to provide for the payment of witnesses, when testifying as experts, in criminal cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to provide for the payment of persons testifying as experts in criminal cases,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was re-committed

A bill to authorize school district No. 1, of the township of Eureka, to purchase a school-house site or sites, and to dispose of their present one,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to amend section 26, chapter 110, of the revised statutes of 1846, being section 3064, of the compiled laws, relative to the sale of real estate of deceased persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Jenness,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill for the prevention and punishment of trespasses on lands granted by the United States to the State of Michigan for railroad purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walker,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred a resolution that the judiciary committee be instructed to examine the laws relating to homesteads, and improvements upon homestead lands, in relation to the taxation thereof, and if in the opinion of the committee any legislation is necessary, in order that the same may be taxed,

Respectfully report that they have had the same under consideration, and have directed me to report the accompanying bill, entitled

A bill to provide for the taxation of improvements upon homestead lands as personal property.

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary

The committee on the judiciary to whom was referred Senate bill No. 64, entitled

A bill "to authorize the trustees of the Methodist Episcopal



church of Lawton, in the county of VanBuren, to convey certain real estate;"

Also, Senate bill No. 48, entitled

A bill to amend section 14, of an act entitled "an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers," approved April 8th, 1851, being section 348 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bills were referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred the petition from the professors in the State Normal School, and many other persons in different parts of the State, asking the passage of a law providing for the election of county superintendents of primary schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to provide for county superintendents of schools, and to amend section 91, and to repeal sections 74, 85, 86, 87, 88, 89 and 90, of chapter 78, of compiled laws,

Recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on education:

The committee on education, to whom was referred

A bill to regulate the practice of dentistry;

Also, sundry petitions asking for the passage of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petitions were laid on the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor the following bills and joint resolution:

A bill to attach certain unorganized towns to the township of Helena, Antrim county;

Also,

A bill to authorize fractional school district No. 17, of the townships of Ann Arbor and Scio, in the county of Washtenaw, to borrow moneys to build a school-house;

Also,

A bill to amend section 3786, chapter 117, of the compiled laws, in relation to transcripts and judgments rendered by justices of the peace;

Also,

A bill to amend section 63, of an act entitled an act to incorporate the city of Battle Creek, approved February 3, 1859, relating to the powers of the common council, to levy and collect taxes;

Also,

A bill to amend section two, of an act entitled an act for the

relief of school districts, approved February 7, 1855, and to add two new sections thereto;

Also,

A bill to authorize school district No. 8, of the township of Hudson, in the county of Lenawee, to borrow money for the purposes therein mentioned;

Also,

A bill to authorize the city of Battle Creek to borrow money for city purposes, and to issue its bonds for the payment of the same;

Also,

A bill to legalize the action of the township of Marquette, and the township of Chocoday, in the county of Marquette, in raising money to macadamize a road between said townships;

Also,

A bill for the better promotion of the interests of agriculture, manufactures, and the mechanic arts;

Also,

A bill to authorize the first Unitarian Society of Ann Arbor, in Washtenaw county, to purchase church property, and mortgage the same for purchase money;

Also,

A bill to extend the time for the collection of taxes in the township of Sebawaing, in the county of Huron;

Also,

A bill to extend the time for the collection of taxes in the townships of Portland and Orange, in the county of Ionia;

Also,

A bill to extend the time for the collection of taxes in the township of Dallas, in the county of Clinton, for the year 1866;

Also,

A bill to amend an act entitled an act to connect the Duncan, Alpena and Sauble River State road with the East Saginaw and Sauble River State road;

Also,

A bill to confirm the title of the Jackson, Lansing and Sag-

inaw Railroad Company to the property, rights and franchises acquired by it of the Amboy, Lansing and Traverse Bay Railroad Company;

Also,

Joint resolution asking the General Government for a grant of land to aid in the construction of the Mineral Range railroad.

DANIEL UPTON, *Chairman*.

Report accepted.

By the committee on ways and means:

The committee on ways and means, to whom was referred a resolution instructing them to report the number of miles travel for which the members and officers of the House are entitled to draw mileage,

Respectfully report that they have had the same under consideration, and have directed me to report to the House the following list of members and officers, and the number of miles travel for which each is entitled to draw mileage:

Names.	Miles
Mr Aitken,.....	160
" Alexander,.....	50
" Ball,.....	152
" Barber,.....	274
" Beall,.....	340
" Benedict,.....	52
" Boies,.....	196
" Bonine,.....	300
" Brownell,.....	198
" A. S. Brown,.....	296
" C. R. Brown,.....	354
" W. G. Brown,.....	106
" Canniff,.....	148
" Camburn, .....	188
" Chauvin,.....	226
" Corey,.....	120
" Crossman,.....	44

Mr. Deane,.....	398
" Dunlap,.....	686
" Dusseau,.....	288
" Eck,.....	328
" Emerson,.....	1720
" Emery,.....	300
" Fellows,.....	248
" Fenton,.....	1000
" Funston,.....	866
" Gallup,.....	550
" Glavin,.....	370
" Greenfield,.....	260
" Grier,.....	248
" Haven,.....	114
" Hawley,.....	226
" Healy,.....	1420
" Hill,.....	1704
" Holt,.....	304
" Hopkins,.....	276
" Howard,.....	362
" Huckins,.....	400
" Jenness,.....	168
" Jewell,.....	264
" J. H. Jones,.....	270
" R. Jones,.....	188
" Kedzie,.....	7
" Kingsbury,.....	212
" Locke,.....	52
" Lockwood,.....	580
" Lovell,.....	196
" Mallett,.....	228
" Mason,.....	190
" McOutcheon,.....	286
" McKernan,.....	1624
" Mead,.....	332
" Mickley,.....	180

NAME.	MIN.
Mr. Miles, .....	346
" Murray, .....	236
" Newcombe, .....	214
" Newell, .....	254
" L. D. Osborn, .....	302
" W. H. Osborn, .....	152
" Packard, .....	340
" Parker, .....	142
" F. Parsons, .....	310
" S. T. Parsons, .....	60
" Parmelee, .....	250
" Pearl, .....	104
" Randall, .....	166
" Robinson, .....	170
" Rockwood, .....	160
" Schars, .....	300
" Sexton, .....	218
" Shepherd, .....	244
" Shetterly, .....	280
" Slayton, .....	176
" C. C. Smith, .....	256
" L. Smith, .....	160
" R. B. Smith, .....	154
" E. Spalding, .....	175
" P. S. Spaulding, .....	196
" Spence, .....	226
" Stannard, .....	174
" Stevens, .....	228
" Storrs, .....	240
" Swezey, .....	222
" Swift, .....	204
" Taylor, .....	224
" Tompkins, .....	34
" Upton, .....	74
" Van Vleet, .....	92

Names.	Miles.
Mr. Walker, .....	226
" Warner, .....	226
" Wells, .....	278
" White, .....	154
" Wilcox, .....	164
" Wiley, .....	226
" Willard, .....	162
" Wilson, .....	178
" Woodward, .....	114
" Woodman, .....	250
" Wright, .....	136
" Speaker, .....	260
<i>First Assistant Clerk</i> —C. Strong, .....	214
<i>Second Assistant Clerk</i> —C. S. Converse, .....	60
<i>Enrolling and Engrossing Clerk</i> —W. A. Hall, .....	156
<i>Sergeant at Arms</i> —S. M. Pratt, .....	300
<i>Assistant Sergeant-at-Arms</i> —H. H. Seaver, .....	164

Recommending that the members, with as little delay as possible, dispose of the business of the House, and do pass—home—and ask to be discharged from the further consideration of the subject.

W. S. WILCOX, *Chairman*.

Report accepted and committee discharged.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend an act entitled an act imposing a specific tax upon corporations and chartered companies engaged in smelting and refining ores in this State, approved March 10, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the following amendment, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Jenness,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of the Detroit and Saline plank road company for an increase of tolls, discriminating in favor of vehicles with broad tires;

Also,

A bill to amend act No. 100, of the session laws of 1848, incorporating the Detroit and Saline plank road company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No 20, entitled

A bill to amend an act entitled "an act to incorporate the village of Ionia," approved July 17, 1865;

Also, certain remonstrances against the passage of the said bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment to the bill, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.



Report accepted and committee discharged.

On motion of Mr. Sweezey,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. R. B. Smith,

The bill was placed on the order of third reading.

The remonstrances were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of O. L. Spalding and 206 others, citizens of St. Johns, for the passage of a bill incorporating the village of St. Johns; also a remonstrance of E. Livingston Davis and 15 others, against the extension of the present limits of said village; also,

A bill to incorporate the village of St. Johns,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment to the bill, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Barber,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition and remonstrance were laid on the table.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred Senate bill No. 44, entitled

A bill to amend sections five, ten and twenty-four, of an act, entitled "an act to authorize the formation of corporations for mining, smelting or manufacturing of iron, copper, mineral coal, silver or other ores or minerals, and for other manufac-

turing purposes," approved February 5, 1853, being sections (1803), (1805) and (1824) of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

SAM. W. HILL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mallet,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of Jas. O. Whitmore and 21 others; also, G. H. Blush and 117 others; also, C. H. Davis and 35 others; also, W. A. Butler and 20 others; also, H. Fahsett and 86 others; also, Moore, Foot & Co., George S. Frost and 26 others; also, S. E. Hitchcock, Geo. S. Lester and 81 others, asking for an additional appropriation of swamp lands on the Duncan, Alpena and Sauble river and East Saginaw and Sauble river State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the prayer of the petitioners be granted, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The petitions were laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section 18, of act No 272, of the session laws of 1865, relative to hawkers and peddlers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miles,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill respecting the collection of a certain ditch tax, in the township of Olive, in the county of Clinton, for the year 1866, and for the reassessment thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Alexander,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Alexander,

The bill was placed on the order of third reading.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of M. S. Hadley and 60 others, praying for the legal-

zation of the action of the township of Avon, Oakland county, in voting aid to the Grand Trunk railroad of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be referred to the committee on internal improvements, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The petition was referred to the committee on internal improvements.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize school district No. 8, of the township of Castleton, in the county of Barry, to issue bonds and borrow money for the purpose of building a school-house;

Also, the petition of L. J. Wheeler, J. H. Palmer and 28 others, praying for the passage of a law for that purpose,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sweezey,

The bill was placed on the order of third reading.

The petition was laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize union school district No. 1, in the township of Hastings, in the county of Barry, to issue bonds and borrow money for the purpose of building a school-house,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, February 6, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 5, entitled

Joint resolution authorizing the Commissioner of the State Land Office to issue a certificate of sale of certain land to Charles McCormick, of Ypsilanti, Michigan,

And to inform the House that the Senate has amended the same, by adding at the end of the resolution the following proviso:

*“Provided, That before such certificate shall be so issued, the former certificate issued to said George Monroe, dated Oct. 17, 1837, shall be surrendered to the Commissioner of the State Land Office;”*

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

Mr. Barber moved that the House concur in the amendments made to the joint resolution by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Alexander,  
Ball,

Mr. Healy,  
Hill,

Mr. Robinson,  
Rockwood,

Barber,	Holt,	Schars,
Beall,	Hopkins,	Sexton,
Benedict,	Howard,	Shepherd,
Boies,	Huckins,	Shetterly,
Bonine,	Jeness,	Slayton,
Brownell,	Jewell,	C. C. Smith,
A. S. Brown,	J. H. Jones,	R. B. Smith,
C. R. Brown,	Kedzie,	E. Spalding,
W. G. Brown,	Kingsbury,	P. S. Spaulding,
Canniff,	Locke,	Spence,
Camburn,	Mallet,	Stannard,
Chauvin,	Mason,	Stevens,
Corey,	McCutcheon,	Storrs,
Crossman,	McKernan,	Sweezey,
Deane,	Mead,	Swift,
Dunlap,	Mickley,	Taylor,
Dusseau,	Miles,	Tompkins,
Eck,	Murray,	Upton,
Emerson,	Newcombe,	Walker,
Fellows,	Newell,	Warner,
Fenton,	L. D. Osborn,	Wells,
Funston,	Packard,	White,
Gallup,	F. Parsons,	Wilcox,
Glavin,	S. T. Parsons,	Willard,
Greenfield,	Parmelee,	Woodman,
Grier,	Pearl,	Wright,
Haven,	Randall,	Speaker,

87

## NAYS.

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 7, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following entitled bill:

House manuscript bill, entitled

A bill to legalize the tax roll of the township of Hancock, in Houghton county, for the year 1866, and to extend the time for the collection of taxes therein,

And to inform the House that the Senate has amended the same as follows:

1. By striking out section one, and prefixing to section two, the following: "*The People of the State of Michigan enact, That.*"

2. By amending the title so as to read as follows:

"A bill to extend the time for the collection of taxes in the township of Hancock, Houghton county, for the year 1866;

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. McKernan moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Alexander,	Mr. Hill,	Mr. Rockwood,
Beall,	Holt,	Schars,
Benedict,	Hopkins,	Sexton,
Boies,	Howard,	Shepherd,
Bonine,	Huckins,	Shetterly,
Brownell,	Jenness,	Slayton,
A. S. Brown,	Jewell,	C. C. Smith,
O. R. Brown,	J. H. Jones,	R. B. Smith,
W. G. Brown,	Kedzie,	E. Spalding,
Canniff,	Kingsbury,	P. S. Spaulding,
Camburn,	Locke,	Spence,
Chauvin,	Mallet,	Stannard,
Corey,	Mason,	Stevens,
Crossman,	McOutcheon,	Storrs,
Deane,	McKernan,	Sweezy,
Dunlap,	Mead,	Swift,
Dusseau,	Mickley,	Taylor,
Eck,	Miles,	Tompkins,
Emerson,	Murray,	Upton,
Emery,	Newcombe,	Walker,
Fellows,	Newell,	Warner,
Fenton,	L. D. Osborn,	Wells,
Funston,	Packard,	White,
Gallup,	F. Parsons,	Wilcox,
Glavin,	S. T. Parsons,	Willard,

Greenfield,	Parmelee,	Woodman,	
Grier,	Pearl,	Wright,	
Haven,	Randall,	Speaker,	
Healy,	Robinson.		.86

NAYS.

Mr. Ball, Mr. Barber, 2

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, February 6, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved,* (the Senate concurring,) That two copies of the Joint Documents, provided annually for deposit in the State Library, and two copies each of the Journal of proceedings of the Senate and House of Representatives, when indexed and bound, after each session of the Legislature, and two copies of the Senate and House documents, be furnished to the Libraries of each of the following Institutions, viz:

The University of Michigan;

The State Normal School;

The State Agricultural College;

The State Asylum for the Education of the Deaf and Dumb, and the Blind;

The State Asylum for the Insane;

The State Prison, and

The State Reform School;

In the passage of which the Senate has concurred.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee on engrossment and enrollment, for enrollment.



## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to authorize mutual fire insurance companies of this State to insure against loss or damage to property by lightning and tornadoes.

Mr. Barber gave notice that on some future day he would ask leave to introduce

A bill to provide for the assessment and collection of certain school taxes in the 8d ward of the city of Coldwater.

Mr. Schars gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of New Baltimore.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to repeal section 47, of an act entitled an act to provide for the incorporation of railroad companies, approved Feb. 12, 1855.

Mr. Gallup, unanimous consent being given, introduced

Joint resolution asking the general Government for an appropriation in money for the construction of a break-water and light-house in the harbor of Port Austin.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Gallup,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the joint resolution was put upon its passage.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,

Mr. Hill,  
Holt,  
Hopkins,  
Howard,  
Huckins,

Mr. Rockwood,  
Schars,  
Sexton,  
Shepherd,  
Shetterly,

Boies,	Jenness,	Slayton,
Bonine,	Jewell,	O. C. Smith,
Brownell,	J. H. Jones,	L. Smith,
A. S. Brown,	Kedzie,	R. B. Smith,
O. R. Brown,	Kingsbury,	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Oanniff,	Lockwood,	Spence,
Camburn,	Mallet,	Stannard,
Chauvin,	Mason,	Stevens,
Corey,	McCutcheon,	Storrs,
Crossman,	McKernan,	Sweezy,
Deane,	Mead,	Swift,
Dunlap,	Mickley,	Taylor,
Dusseau,	Miles,	Tompkins,
Eck,	Murray,	Upton,
Emerson,	Newcombe,	Walker,
Emery,	Newell,	Warner,
Fellows,	L. D. Osborn,	Wells,
Fenton,	Packard,	White,
Funston,	Parker,	Wilcox,
Gallup,	F. Parsons,	Willard,
Glavin,	S. T. Parsons,	Woodward,
Greenfield,	Parmelee,	Woodman,
Grier,	Randall,	Wright,
Haven,	Robinson,	Speaker,
Healy,		

91

## NAYS.

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Title and preamble agreed to.

Mr. Grier gave notice that on some future day he would ask leave to introduce

A bill to authorize judgments to be taken in vacation in suits pending in courts of record in certain cases;

Also,

A bill to amend an act entitled "an act to authorize proceedings by garnishment in the circuit courts and in the district court of the Upper Peninsula," approved March sixteenth, eighteen hundred and sixty-one;

Also,

A bill in relation to security for costs;

Also,

A bill to allow defendants in actions in courts of record to make an offer of judgment or decree in certain cases.

Mr. Slayton offered the following:

*Resolved*, That the Clerk be directed to announce, before the adjournment of each day, the numbers or titles of the first twelve bills or resolutions which are on the general order;

Which was adopted.

Mr. Taylor offered the following:

*Resolved*, That the committee on printing be instructed to cause all acts passed by the present Legislature, which were ordered to take immediate effect, to be published at once in some newspaper published in Lansing, and that they secure five hundred copies of such paper for the use of the members of this House.

Mr. Warner moved to insert the word "general," before word "acts," in the second line, and to add the following at the end thereof: "provided that the total expense of publishing the laws, and furnishing the papers, shall not exceed three hundred dollars,"

Which motion prevailed.

The resolution was not adopted.

Mr. L. D. Osborn gave notice that on some future day he would ask leave to introduce

A bill to authorize school district number four, in the township of Penn, in the county of Cass, to issue bonds and borrow money for the purpose of building a school house.

Mr. Gallup gave notice that on some future day he would ask leave to introduce

A bill to provide for the organization of a new township, to be called Lincoln, in Huron county.

Mr. Walker gave notice that on some future day he would ask leave to introduce

A bill to limit the number of times in a year in which a person may act as juror,

Also,

A bill for the incorporation of industrial and charitable schools.

Mr. Hill, previous notice having been given, and leave being granted, introduced

A bill for the relief of railroads in the Upper Peninsula.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Boies, previous notice having been given, and leave being granted, introduced

A bill to authorize townships and cities in the counties of Jackson, Lenawee and Hillsdale, to pledge their credit, to aid in the construction of a railroad from the city of Jackson, by the way of the villages of Addison and Hudson, and the township of Medina, to some point in Ohio, connecting with the Atlantic and Great Western railroad.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Brownell, previous notice having been given and leave being granted, introduced

A bill to detach the township of Watertown, from the county of Tuscola, and attach the same to Lapeer county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Benedict, previous notice having been given, and leave being granted, introduced

A bill to change the name of Calvin Moon, of the village of Fowlerville, township of Handy, county of Livingston, and State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Stannard, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend an act entitled an act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security for costs in justices' courts.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Sweezey, previous notice having been given, and leave being granted, introduced

A bill to revise the charter of the village of Hastings.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill enlarging the corporate powers and privileges of the First Congregational Society, of East Saginaw.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Slayton, previous notice having been given, and leave being granted, introduced

A bill to authorize Edmond Burroughs to build a dam across Flat river, in the township of Vergennes, in Kent county.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Corey, previous notice having been given, and leave being granted, introduced

A bill to attach certain tracts of land to fractional union school district No. 1, of the township of Saline, Washtenaw county.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Healy, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road in the county of Menominee.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Canniff, previous notice having been given, and leave being granted, introduced

A bill to repeal act No. 281, of the session laws of 1865.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Rockwood, previous notice having been given, and leave being granted, introduced

A bill to authorize the common council of the city of Flint to control and vacate burial grounds within its limits.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Dunlap, unanimous consent being given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Manistee bridge, in Wexford county, to Lake Michigan, in Manistee county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Emery, previous notice having been given, and leave being granted, introduced

A bill to detach certain territory from the county of Sanilac, and attach the same to Lapeer county.

The bill was read a first and second time by its title, and referred to the committee on the division of towns and counties.

Mr. Fenton, previous notice having been given, and leave being granted, introduced

A bill for the relief of, and settlers on swamp lands.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Holt, previous notice having been given, and leave being granted, introduced

A bill to organize the township of Howard, in the county of Muskegon.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Emerson, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 20, of the laws of the State of Michigan, entitled an act to accept the grant of land made to the

State of Michigan by the United States, to aid in the construction of a military railroad from Fort Wilkins, Copper Harbor, to the Wisconsin State line, by way of Houghton, on Portage Lake, and to provide for the laying out and construction of the same, approved Feb. 4, 1864, and to define and determine in what the construction of said military road shall consist.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

### THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 72, entitled

A bill to amend section 864, of the compiled laws of 1857, relating to the compensation of the members of boards of supervisors,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Alexander,	Mr. Hopkins,	Mr. Shepherd,
Barber,	Howard,	Shetterly,
Beall,	Jenness,	Slayton,
Benedict,	Jewell,	C. C. Smith,
Bonine,	J. H. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
C. R. Brown,	Locke,	P. S. Spaulding,
W. G. Brown,	Mallet,	Spence,
Canniff,	Mason,	Stannard,
Camburn,	McCutcheon,	Stevens,
Chauvin,	McKernan,	Storrs,
Crossman,	Mead,	Sweezey,
Deane,	Miles,	Swift,
Dusseau,	Murray,	Taylor,
Eck,	Newcombe,	Tompkins,
Emery,	Newell,	Upton,
Fellows,	L. D. Osborn,	Walker,
Fenton,	Packard,	Warner,
Funston,	Parker,	Wells,
Gallup,	F. Parsons,	White,
Glavin,	S. T. Parsons,	Wilcox,
Greenfield,	Parmelee,	Wilson,
Grier,	Pearl,	Woodward,
Haven,	Randall,	Woodman,

Mr. Rockwood, previous notice having been given, and leave being granted, introduced

A bill to authorize the common council of the city of Flint to control and vacate burial grounds within its limits.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Dunlap, unanimous consent being given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Manistee bridge, in Wexford county, to Lake Michigan, in Manistee county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Emery, previous notice having been given, and leave being granted, introduced

A bill to detach certain territory from the county of Sanilac, and attach the same to Lapeer county.

The bill was read a first and second time by its title, and referred to the committee on the division of towns and counties.

Mr. Fenton, previous notice having been given, and leave being granted, introduced

A bill for the relief of, and settlers on swamp lands.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Holt, previous notice having been given, and leave being granted, introduced

A bill to organize the township of Howard, in the county of Muskegon.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Emerson, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 20, of the laws of the State of Michigan, entitled an act to accept the grant of land made to the



State of Michigan by the United States, to aid in the construction of a military railroad from Fort Wilkins, Copper Harbor, to the Wisconsin State line, by way of Houghton, on Portage Lake, and to provide for the laying out and construction of the same, approved Feb. 4, 1864, and to define and determine in what the construction of said military road shall consist.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

### THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 72, entitled

A bill to amend section 364, of the compiled laws of 1857, relating to the compensation of the members of boards of supervisors,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Alexander,	Mr. Hopkins,	Mr. Shepherd,
Barber,	Howard,	Shetterly,
Beall,	Jenness,	Slayton,
Benedict,	Jewell,	C. C. Smith,
Bonine,	J. H. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
C. R. Brown,	Locke,	P. S. Spaulding,
W. G. Brown,	Mallet,	Spence,
Canniff,	Mason,	Stannard,
Camburn,	McCutcheon,	Stevens,
Chanvin,	McKernan,	Storra,
Crossman,	Mead,	Sweezey,
Deane,	Miles,	Swift,
Dusseau,	Murray,	Taylor,
Eck,	Newcombe,	Tompkins,
Emery,	Newell,	Upton,
Fellows,	L. D. Osborn,	Walker,
Fenton,	Packard,	Warner,
Funston,	Parker,	Wells,
Gallup,	F. Parsons,	White,
Glavin,	S. T. Parsons,	Wilcox,
Greenfield,	Parmelee,	Wilson,
Grier,	Pearl,	Woodward,
Haven,	Randall,	Woodman,

Healy,  
Hill,  
Holt,

Rockwood,  
Schars,  
Sexton,

Wright,  
Speaker,

83

# NAYS.

Mr. Ball,  
Bonine,  
Corey,

Mr. Dunlap,  
Lockwood,  
Mickley,

Mr. W. H. Osborn,  
Robinson,  
Willard,

9

Title agreed to.

House bill No. 68, entitled

A bill to change the name of the village of Mill Point to that of Spring Lake,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
W. G. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dussean,  
Eck,  
Emery,  
Fellows,  
Fenton,  
Funston,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,

Mr. Holt,  
Hopkins,  
Howard,  
Huckins,  
Jeness,  
Jewell,  
J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Mallet,  
Mason,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
L. D. Osborn,  
W. H. Osborn,  
Packard,  
Parker,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,

Mr. Rockwood,  
Schars,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Swezey,  
Swift,  
Taylor,  
Tompkins,  
Upton,  
Walker,  
Warner,  
Wells,  
White,  
Wilcox,  
Willard,  
Wilson,  
Woodward,  
Woodman,

Healy,  
Hill,

Randall,  
Robinson,  
NAYS.

Wright,  
Speaker, 93  
0

Title agreed to.

House bill No. 73, entitled

A bill to authorize the board of trustees of fractional union school district number one, of the city of Grand Rapids, to borrow money,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
W. G. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Crosman,  
Deane,  
Dunlap,  
Dussean,  
Eck,  
Emery,  
Fellows,  
Fenton,  
Funston,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,  
Healy,  
Hill,  
Holt,

Mr. Hopkins,  
Howard,  
Huckins,  
Jennese,  
Jewell,  
J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Mallet,  
Mason,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
L. D. Osborn,  
W. H. Osborn,  
Packard,  
Parker,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,  
Randall,  
Robinson,

Mr. Rockwood,  
Scharf,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Swezey,  
Swift,  
Taylor,  
Tompkins,  
Walker,  
Warner,  
Wells,  
White,  
Wilcox,  
Willard,  
Wilson,  
Woodward,  
Woodman,  
Wright,  
Speaker,

91

NAYS.

0

Title agreed to.

House bill No. 47, entitled

A bill to authorize and require the supervisor of the township of Hope, in the county of Barry, to assess, levy and authorize the collection of a tax in said township, to refund the sum of seven hundred dollars raised and advanced by the inhabitants of said township to pay bounties to volunteers:

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Alexander,	Mr. Kingsbury,	Mr. Slayton,
Ball,	Locke,	C. C. Smith,
Benedict,	Lockwood,	L. Smith,
Boies,	Mallet,	R. B. Smith,
A S. Brown,	Mason,	E Spalding,
W. G. Brown,	McCutcheon,	P. S. Spaulding,
Canniff,	McKernan,	Spence,
Chauvin,	Mead,	Stevens,
Corey,	Mickley,	Storrs,
Crossman,	Newell,	Sweezy,
Eck,	L. D. Osborn,	Swift,
Emery,	W. H. Osborn,	Taylor,
Fellows,	Packard,	Tompkins,
Gallup,	Parker,	Upton,
Greenfield,	F. Parsons,	Walker,
Grier,	S. T. Parsons,	Wells,
Healy,	Parmelee,	White,
Hill,	Robinson,	Wilcox,
Hopkins,	Rockwood,	Willard,
Howard,	Schars,	Wilson,
Jenness,	Sexton,	Woodward,
Jewell,	Shepherd,	Wondman,
Kedzie,	Shetterly,	Speaker, 69

#### NAYS.

Mr. Barber,	Mr. Fenton,	Mr. Murray,
Beall,	Funston,	Newcombe,
Bonine,	Glavin,	Pearl,
Camburn,	Haven,	Randall,
Deane,	Holt,	Stannard,
Dunlap,	Huckins,	Warner,
Dusseau,	J. H. Jones,	Wright, 21

Title agreed to.

House bill No. 33, entitled

A bill to repeal all existing laws, rules, and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counselor for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit court,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,	Mr. Hopkins,	Mr. E. Spalding,
Ball,	Kedzie,	Spence,
Beall,	Locke,	Stannard,
Bonine,	Lockwood,	Stevens,
Brownell,	McKernan,	Swezey,
C. R. Brown,	Mead,	Taylor,
W. G. Brown,	Mickley,	Tompkins,
Crossman,	Newcombe,	Upton,
Deane,	L. D. Osborn,	Walker,
Eck,	F. Parsons,	Warner,
Fenton,	Pearl,	Wells,
Gallup,	Shetterly,	Wilcox,
Grier,	Slayton,	Wilson,
Healy,	L. Smith,	Woodward,
Hill,	R. B. Smith,	Woodman,
Holt,		

46

## NAYS.

Mr. Barber,	Mr. Haven,	Mr. S. T. Parsons,
Benedict,	Howard,	Parmelee,
Boies,	Huckins,	Randall,
A. S. Brown,	Jenness,	Robinson,
Canniff,	Jewell,	Rockwood,
Camburn,	J. H. Jones,	Schars,
Chauvin,	Kingsbury,	Sexton,
Corey,	Mallet,	Shepherd,
Dunlap,	Mason,	P. S. Spaulding,
Dusseau,	McCutcheon,	Storrs,
Emery,	Murray,	Swift,
Fellows,	Newell,	White,
Funston,	W. H. Osborn,	Willard,
Glavin,	Packard,	Wright,
Greenfield,	Parker,	Speaker,

45

House manuscript joint resolution, entitled

Joint resolution asking Congress for an appropriation in money to aid in the construction of a harbor at New Buffalo Berrien county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Alexander,	Mr. Holt,	Mr. Schars,
Ball,	Hopkins,	Sexton,
Barber,	Howard,	Shepherd,
Beall,	Huckins,	Shetterly,
Benedict,	Jenness,	Slayton,
Boies,	Jewell,	C. C. Smith,
Bonine,	J. H. Jones,	L. Smith,
Brownell,	Kedzie,	R. B. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
C. R. Brown,	Locke,	P. S. Spaulding,
W. G. Brown,	Lockwood,	Spence,
Canniff,	Mallet,	Stannard,
Camburn,	Mason,	Stevens,
Chauvin,	McCutcheon,	Storrs,
Corey,	McKernan,	Sweezy,
Crossman,	Mead,	Swift,
Deane,	Mickley,	Taylor,
Dunlap,	Murray,	Tompkins,
Dussean,	Newcombe,	Upton,
Eck,	Newell,	Walker,
Emery,	L. D. Osborn,	Warner,
Fellows,	W. H. Osborn,	Wells,
Fenton,	Packard,	White,
Funston,	Parker,	Wilcox,
Gallup,	F. Parsons,	Willard,
Glavin,	Parmelee,	Wilson,
Greenfield,	Pearl,	Woodward,
Grier,	Randall,	Woodman,
Haven,	Robinson,	Wright,
Healy,	Rockwood,	Speaker,
Hill,		

#### NAYS.

Title and preamble agreed to.

On motion of Mr. Kedzie,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Sweezey, unanimous consent being given, moved to discharge the committee of the whole from the further consideration of Senate bill No. 28, entitled

A bill to reorganize the fifth, eighth and ninth judicial circuits, and to create the fourteenth judicial circuit;

Which motion prevailed.

On motion of Mr. Sweezey,

The bill was placed on the order of third reading.

The House then resumed business, under the order of

## THIRD READING OF BILLS AND RESOLUTIONS.

Senate bill No 20, entitled

A bill to amend an act entitled "an act to incorporate the village of Ionia," approved Feb. 17, 1865,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,	Mr. Hill,	Mr. Robinson,
Ball,	Holt,	Sexton,
Barber,	Hopkins,	Shepherd,
Beall,	Howard,	Shetterly,
Benedict,	Jenness,	Slayton,
Boies,	Jewell,	O. C. Smith,
Bonine,	J. H. Jones,	L. Smith,
A. S. Brown,	Kedzie,	R. B. Smith,
C. R. Brown,	Kingsbury,	E. Spalding,
W. G. Brown,	Locke,	P. S. Spaulding,
Camburn,	Lockwood,	Spence,
Chauvin,	Mallet,	Stevens,
Corey,	Mason,	Storrs,
Crossman,	Mead,	Sweezey,
Deane,	Mickley,	Taylor,
Dunlap,	Miles,	Tompkins,
Dusseau,	Murray,	Upton,
Eck,	Newcombe,	Walker,
Fenton,	Newell,	Warner,

Funston,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,  
Healy,

L. D. Osborn,  
W. H. Osborn,  
Packard,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,

Wells,  
Wilcox,  
Willard,  
Wilson,  
Woodward,  
Woodman,  
Speaker, 78

## NAYS.

Mr. Stannard,

1

Title agreed to.

On motion of Mr. R. B. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill respecting the collection of a certain ditch tax in the township of Olive, in the county of Clinton, for the year 1866, and for the re-assessment thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Boies,  
Bonine,  
A. S. Brown,  
O. R. Brown,  
W. G. Brown,  
Camburn,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Fenton,  
Funston,  
Gallup,  
Glavin,

Mr. Hill,  
Holt,  
Hopkins,  
Howard,  
Jenness,  
Jewell,  
J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Mallet,  
Mason,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
L. D. Osborn,  
W. H. Osborn,  
Packard,

Mr. Robinson,  
Sexton,  
Shepherd,  
Slayton,  
C. O. Smith,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Storrs,  
Sweezy,  
Taylor,  
Tompkins,  
Upton,  
Walker,  
Warner,  
Wells,  
Wilcox,  
Willard,



Greenfield,	F. Parsons,	Wilson,	
Grier	S. T. Parsons,	Woodward,	
Haven,	Parmelee,	Woodman,	
Healy,	Pearl,	Speaker,	78

NAYS.

Mr. Shetterly,	1
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Title agreed to.

On motion of Mr. Alexander,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to authorize school district No. 8, of the township of Castleton, in the county of Barry, to issue bonds and borrow money, for the purpose of building a school-house,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Alexander,	Mr. Holt,	Mr. Shepherd,
Ball,	Hopkins,	Shetterly,
Barber,	Howard,	Slayton,
Beall,	Jenness,	C. C. Smith,
Benedict,	Jewell,	L. Smith,
Boies,	J. H. Jones,	R. B. Smith,
Bonine,	Kedzie,	E. Spalding,
A. S. Brown,	Kingsbury,	P. S. Spaulding,
C. R. Brown,	Locke,	Spence,
W. G. Brown,	Lockwood,	Stannard,
Camburn,	Mallet,	Stevens,
Chauvin,	Mason,	Storrs,
Corey,	Mead,	Sweezy,
Crossman,	Mickley,	Swift,
Deane,	Miles,	Taylor,
Dunlap,	Murray,	Tompkins,
Dusseau,	Newcombe,	Upton,
Eck,	Newell,	Walker,
Fenton,	L. D. Osborn,	Warner,
Funston,	W. H. Osborn,	Wells,
Gallup,	Packard,	White,
Glavin,	F. Parsons,	Wilcox,
Greenfield,	S. T. Parsons,	Willard,
Grier,	Parmelee,	Wilson,
Haven,	Pearl,	Woodward,

Healey,  
Hill,

Robinson,  
Sexton,  
NAYS.

Woodman,  
Speaker, 81  
0

Title agreed to.

On motion of Mr. Sweezey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No 28, entitled

A bill to re-organize the fifth, eighth and ninth judicial circuits, and to create the fourteenth judicial circuit,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Holt moved that the bill be recommitted to the committee on the judiciary;

Which motion prevailed.

#### UNFINISHED BUSINESS,

Being the consideration of the following resolution:

*Resolved* (The Senate concurring,) That a joint committee, consisting of three members from the House and two from the Senate, be appointed, to inquire by what authority, if any, the so called Detroit and Milwaukee Railroad Company are exercising the powers and privileges of a corporate body, with power to send for persons and papers, and to report by bill or otherwise.

The resolution was adopted.

Also, the following:

*Whereas*, There are over two millions of acres of valuable lands called "railroad lands," which are mainly located in the most recently settled portion of the State, and have been withheld from sale for about ten years past, greatly to the hindrance of the settlement of the country, the laying out and construction of roads, the organization and maintenance of schools and churches, and the full development of the wealth of the State, and which withholding from sale of said lands is a just cause of complaint by the people where they are located;

*And whereas*, A sale of those lands at public auction, to the

highest bidder, after due public notice, would open them to settlement, and secure their full value for the construction of the contemplated railroads, without sacrifice, and thus greatly promote the settlement, growth and development of the State, and hasten the construction of the railroads, for which purpose they were generously donated by the United States, and thus remove all cause of complaint above alluded to; therefore,

*Resolved*, (The Senate concurring,) That our Senators in Congress be and they are hereby instructed, and our Representatives, (in Congress,) requested to vote for, and use their influence to obtain the passage of a law by Congress, allowing the railroad lands of this State to be publicly advertised and sold at public vendue, to the highest bidder, in the usual Government subdivisions, at the respective land offices where located, provided no bid shall be received at less than \$4 per acre, and all lands not thus sold, to be subject to private entry after such public sale, at \$4 per acre, and the proceeds of all such lands to be retained in trust for the construction of the respective railroads for which they were donated, and to be paid over to them when they are entitled to the same, on the same terms and conditions as the lands would have been made over to them, had they not been sold: *Provided*, The same can be done without any violation of plighted faith on the part of Congress, or of this State, and without disturbing the present vested rights: *And provided further*, That in such sales, preference shall be given to actual settlers, and that no person be allowed to purchase more than 320 acres of such lands.

*And be it further resolved*, That the Governor be authorized and requested to forward a copy of these preamble and resolutions, properly signed by the President of the Senate, and Speaker of the House of Representatives, to each of our Senators and Representatives in Congress, immediately after the passage of the same;

For which was pending the following substitute:

*Resolved*, (the Senate concurring,) That the Governor is hereby authorized and directed, to appoint, without unneces-

sary delay, three competent and disinterested persons as commissioners, whose duty it shall be to inquire into the natural capabilities of the lands granted by the general government to aid in the construction of railroads, in the State; also, to inquire into the geographical and consequent economical relations existing, and likely to exist, between the lines of the several land grant railroads in this State, and between them and other railroads; and likewise inquire and determine what action, State and National, is in their opinion, necessary and practicable to render said lands most available for the best interests of Michigan, and report to the Legislature of this State, at its next session, by bill, resolution or otherwise, as they shall see fit.

The question being upon the adoption of the substitute,  
It was not adopted.

The question recurring upon the adoption of the resolutions,  
Mr. Hopkins demanded the yeas and nays:

The demand was seconded, and the resolutions were not adopted, by yeas and nays, as follows:

## YEAS.

Mr. Ball,	Mr. Funston,	Mr. Robinson,
Benedict,	Gallup,	Shepherd,
W. G. Brown,	Holt,	Slayton,
Camburn,	Hopkins,	Spence,
Chauvin,	J. H. Jones,	Stannard
Crossman,	Mallet,	Sweezy,
Deane,	Mickleby,	Wells,
Dunlap,	Miles,	Wilson,
Dusseau,	Murray,	Woodward,
Eck,	Newell,	Speaker,

30

## NAYS.

0

Mr. Alexander,	Mr. Jewell,	Mr. C. C. Smith,
Barber,	Kingsbury,	R. B. Smith,
Beall,	Locke,	E. Spalding,
Bonine,	Lockwood,	P. S. Spaulding,
A. S. Brown,	Mason,	Stevens,
C. R. Brown,	Mead,	Storrs,
Corey,	Newcombe,	Swift,
Fenton,	L. D. Osborn,	Taylor,
Glavin,	W. H. Osborn,	Tompkins,

Greenfield,	Packard,	Upton,
Haven,	F. Parsons,	Walker,
Healy,	S. T. Parsons,	Warner,
Hill,	Parmelee,	White,
Howard,	Pearl,	Wilcox,
Huckins,	Sexton,	Willard,
Jennese,	Shetterly,	Woodman, 48

## GENERAL ORDER.

On motion of Mr. Deane,

The House went into committee of the whole, on the general order,

Mr. Boies in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 77, entitled

A bill further to amend an act entitled an act to provide for the construction of train railways;

2. House bill No. 79, entitled

A bill to authorize school district No. 3, of the township of Victor, in the county of Clinton, to borrow money, and to issue bonds therefor;

3. House bill No. 78, entitled

A bill to authorize graded school district No. 1, of the township of Forest, in the county of Genesee, to issue bonds for the purpose, therein mentioned;

4. House bill No. 69, entitled

A bill to add a new section to chapter 180, of the compiled laws, in regard to evidence in certain criminal cases;

5. House bill No. 76, entitled

A bill to amend act No. 135, of the session laws of 1861, approved March 12th, 1861, in regard to a register of probate for Wayne county;

6. House bill No. 37, entitled

A bill to amend section 8, of chapter 27, of the revised statutes of 1846, being section 1103 of the compiled laws;

7. Senate bill No. 19, entitled

A bill to amend sections 4 and 5, of chapter 193, being sections five thousand nine hundred and sixty-two (5962,) and five thousand nine hundred and sixty-three, (5963,) of the compiled laws, relative to proceedings to prevent crime;

Have made no amendment thereto, and have directed their chairman to report the same back to the House and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

8. House bill No. 74, entitled

A bill to prevent fishing with seines and every kind of continuous nets, in the waters of the county of Branch;

9. House bill No. 80, entitled

A bill to amend section 3 and section 13, of act No. 218, of the session laws of 1861, relative to actions for forcible or unlawful entry and detainer;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

11. House bill No. 67, entitled

A bill to provide for the appointment of emigrant agents by the several counties, and to provide for their compensation by bounties upon actual settlers in such counties;

Have directed their chairman to report the same back to the House, with the recommendation that it be made the special order for Monday afternoon next, at two o'clock.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth and seventh named bills, were placed on the order of third reading.

On motion of Mr. Jenness,

The amendments made to the eight and ninth named bills,

were concurred in, *in gross*, and the bills were placed on the order of third reading.

On motion of Mr. C. R. Brown,

The recommendation of the committee that the tenth named bill be made the special order for Monday afternoon next, at two o'clock, was concurred in.

The committee on engrossment and enrollment submitted the following report:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bill:

A bill to legalize the tax roll of the township of Hancock, in Houghton county, for the year 1866, and to extend the time for the collection of taxes therein.

DANIEL UPTON, *Chairman*.

Report accepted.

Mr. White, unanimous consent being given, offered the following:

*Resolved*, That the use of this Hall be tendered to the State Temperance Convention, now in session in this city, for its use this evening;

Which was adopted.

On motion of Mr. Mason,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Friday, February 8, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Weed.

Roll called: quorum present.

Absent at roll call, without leave, Mr. Storrs.

Mr. L. Smith asked and obtained leave of absence for Mr. Storrs, on account of sickness.

Mr. McCutcheon asked and obtained leave of absence for himself, until next Tuesday, after to-day.

Mr. Jenness asked and obtained leave of absence for himself, until next Tuesday, after to-day.

PRESENTATION OF PETITIONS.

By Mr. Mead: petition of W. R. Owen, M. A. Giddings, A. B. Rawles, George B. Morton and 50 others, citizens of Romeo, Macomb county, praying for the passage of a law to make railroad companies answerable for loss of freight by fire.

Referred to the committee on the judiciary.

By Mr. Schars: petition of Gilbert Hathaway and 24 others, citizens of New Baltimore, praying for the incorporation of the village of New Baltimore.

Referred to the committee on banks and incorporations.

By Mr. Jewell: petition of E. C. Watkins, Marion Lloyd, J. B. Hewitt and 37 others, citizens of Rockford, Kent county, asking for an extension of time for the completion of the Indiana and Grand Rapids railroad.

On motion of Mr. VanVleet,

The petition was laid on the table.

By Mr. Slayton: petition of Hatch & Craw, Robert Marshall, Hine, Congdon & Co., Charles R. Hine and 31 others, persons and firms, doing business in the village of Lowell, in Kent county, asking for the passage of a law making railroad companies responsible for goods injured or lost while in storage.

Referred to the committee on the judiciary.

By Mr. Chauvin: petition of H. W. Deare, of Hamtramck, praying for relief and power for the township board of Hamtramck, to audit and allow a certain bounty claim, and to raise money to pay the same;

Also, the petition of Peter Desnoyer, W. B. Wesson, Thomas Hopson and 30 others, tax-payers of Hamtramck, for power to raise money to refund advances made to fill quotas.

Referred to the committee on bounties.

By Mr. Newell: petition of Charles H. Tucker and 250 others, citizens of the 2d representative district of St. Clair county, praying for the enactment of a law making eight hours a legal days work, through the State;



Also, the petition of V. A. Saph and 34 others, citizens of Marine City, St. Clair County, for the same purpose;

Also, the petition of W. H. Hoffman and 19 others, citizens of St. Johns, Clinton county, for the same purpose.

Referred to the committee on State affairs.

By Mr. Greenfield: petition of Joseph Gamble, P. D. Bush and 38 others, citizens of Tuscola county, for a State road from Lapeer to Bay City, and an appropriation of State swamp lands, to aid in the construction of the same.

Referred to the committee on public lands.

By Mr. Shetterly: petition of Loren Andrus and 20 others, residents of the township of Washington, Macomb county, for the passage of a law authorizing the electors of the several townships in the counties of Wayne, Macomb, Lapeer, Genesee, Tuscola, Saginaw and Bay, to vote a tax to aid in the construction of a railroad through or into said townships, commencing near the junction of the Grand Trunk and Detroit & Milwaukee railway, and running thence northerly through said counties to Saginaw or Bay City;

Also, petition of Robert Irwin and 16 others, citizens of the township of Bruce, Macomb county, for the same purpose;

Also, petition of W. W. Andrus, S. Brownell and 75 others, residents of Utica, Macomb county, for the same purpose.

Referred to the committee on internal improvements.

By Mr. Boies: petition of Lorenzo Palmer, C. B. Stowell, C. G. Pettinger, George Williams and 126 others, citizens of the township of Hudson, Lenawee county, praying for the passage of a law authorizing the planting of shade and ornamental trees in the highways of said township, and providing for the protection of the same.

Referred to the committee on roads and bridges.

By Mr. R. B. Smith: remonstrance of W. Z. Blanchard and 175 others, citizens of the township of Lyons, Ionia county, protesting against any alteration of the law conferring jurisdiction on the board of supervisors, in regard to the boundaries of townships.

Referred to the committee on the judiciary.

By Mr. R. B. Smith: remonstrance of the inhabitants residing on a part of the territory of the township of Lyons, protesting against the passage of a special law to set them over to the township of Ionia.

Referred to the committee on towns and counties.

By Mr. R. B. Smith: petition of D. M. Fox and 200 others, inhabitants of the township of Lyons, Ionia county, praying that certain highway taxes of said township, may be appropriated for the benefit of the highway leading from Muir to Lyons.

Referred to the committee on roads and bridges.

By Mr. Chauvin: remonstrance of Dr. Isaac S. Smith, George Moran and 130 others, against increasing the toll on the Detroit and Lake St. Clair plank road, in Wayne county.

Referred to the committee on banks and incorporations.

By Mr. Miles: petition of Valentine A. Saph and 24 others, citizens of the village of Marine, in the county of St. Clair, to change the name of the village of Marine, in St. Clair county, to Marine City.

Referred to the committee on State affairs.

By Mr. Miles: petition of John E. Kitton and 82 others, citizens of the city of St. Clair, in St. Clair county, asking the confirmation of the vote of the citizens of the city of St. Clair, by which its credit is pledged to aid in the construction of the Michigan Grand Trunk Railway.

Referred to the committee on internal improvements.

By Mr. Haven: petition of district board of school district number six, of the township of Marengo, Calhoun county, asking authority to issue bonds to raise money to build a school-house.

Referred to the committee on local taxation.

By Mr. Barber: memorial of George A. Coe, David Thompson and sundry others, members of the bar of Branch county, relative to the compensation of circuit court commissioners.

Referred to the committee on the judiciary.

By Mr. McKernan: petition of F. Mayworm and 98 others,

citizens of Houghton county, asking that the specific tax on copper and iron be remitted to counties, for another period of five years.

On motion of Mr. McKernan,

The petition was laid on the table.

By Mr. Holt: petition of Curtis Powell and 12 others, citizens of Newaygo, praying for the laying out and establishing of a State road to connect the village of Newaygo with the village of Mears.

Referred to the committee on public lands.

By Mr. Aitken: petition of officers of school district No. 8, of the city of Flint, for authority to organize a union school in said city.

Referred to the committee on education.

By Mr. Wells: protest of George VanAntwerp and 100 others, citizens of Cass county, protesting against granting any appropriation to the Michigan University, until it has complied with the laws of this State, in furnishing a Professor of Homeopathy, in the medical department.

Referred to the committee on education.

By Mr. Wilson: petition of Dr. Paddock, L. M. Green, F. B. Gailbreth, W. G. Elliott, J. W. Smith and E. Earl, physicians of the city of Pontiac, asking for a law for the registration of births, marriages and deaths.

Referred to the committee on State affairs.

By Mr. Swift: remonstrance of tax-payers of the town of Canton, Wayne county, against legalizing a vote of said township, to refund subscriptions for bounties.

Referred to the committee on bounties.

By Mr. Swift: petition of Henry Jones and 110 others, of Canton, Wayne county, asking for the passage of a law authorizing said township, to raise money by tax, to refund advances for bounty purposes.

Referred to the committee on bounties.

By Mr. Emerson: petition of J. W. Crozier and 67 others, citizens of the county of Ontonagon, praying for the vacation of

the township of Pewabic, in said county, and attaching the same to the townships of Ontonagon, Rockland and Carp Lake, in said county.

Referred to the committee on the judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was recommitted House bill No. 13, entitled

A bill to amend sections 11 and 13, of chapter one hundred and fifty, (150,) of the revised statutes of 1846, the same being sections 5647 and 5649, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to, whom was referred

A bill to amend sections eight (8) and thirty-eight, (38,) of chapter one hundred and nine, (109,) of the revised statutes of 1846, being chapter 185 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was recommitted Senate bill No. 28, entitled

A bill to re-organize the fifth, eighth and ninth judicial circuits, and to create the fourteenth judicial circuit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Sweezey,

The House concurred in the amendments made to the bill by the committee.

The bill having been previously read a third time, and the question being upon its passage,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Huckins,	Mr. Sexton,
Alexander,	Jenness,	Shetterly,
Barber,	Jewell,	Slayton,
Beall,	J. H. Jones,	C. C. Smith,
Benedict,	Locke,	R. B. Smith,
Boies,	Lovell,	P. S. Spaulding,
Boline,	Mallet,	Spence,
A. S. Brown,	Mason,	Stannard,
Canniff,	McKernan,	Stevens,
Chauvin,	Mead,	Sweezey,
Eck,	Mickley,	Swift,
Fellows,	Miles,	Taylor,
Fenton,	Newell,	Tompkins,
Funston,	Packard,	Upton,
Glavin,	F. Parsons,	Walker,

Greenfield,	S. T. Parsons,	Wells,
Grier,	Pearl,	Wilcox,
Haven,	Randall,	Willard,
Healy,	Robinson,	Woodward,
Holt,	Rockwood,	Woodman,
Howard,	Scha's,	Speaker, 63

## NAYS.

Mr. Ball,	Mr. Hawley,	Mr. L. D. Osborn,
Brownell,	Hill,	W. H. Osborn,
Camburn,	Hopkins,	Parker,
Corey,	Kedzie,	Parmelee,
Crossman,	Kingeby,	E. Spalding,
Dunlap,	Lockwood,	Van Vleet,
Dusseau,	McOutcheon,	White,
Emerson,	Murray,	Wilson,
Emery,	Newcombe,	Wright, 21

Title agreed to.

On motion of Mr. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Slayton moved to reconsider the vote by which the bill was passed;

Which motion did not prevail.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of L. Alonzo Mallery, praying the enactment of a law authorizing the proper State officer to issue a certificate of sale of certain land to the petitioner, the assignee of the certificate which has been lost,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying joint resolution, entitled

Joint resolution authorizing the Commissioner of the State Land Office, to issue a certificate of sale of certain land to L. Alonzo Mallery, of the township of Reading, Michigan,

Recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking Congress for an appropriation of money to improve the navigation of the St. Joseph river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. E. MICKLEY, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred Joint resolution relative to customs and excise,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. E. MICKLEY, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Negaunee, under a special charter,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Healy,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to attach certain tracts of land to fractional union school district number one, in the township of Saline, in the county of Washtenaw,

Respectfully report that as a petition for the passage of the bill had been previously referred to the committee on local taxation, they would recommend that the bill be referred to that committee, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee on local taxation.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Brighton, in the county of Livingston, and State of Michigan, and to define the boundary thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do



pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred Senate bill No. 49, entitled

A bill to provide for the protection and preservation of fish in the lakes, ponds, rivers and creeks, in the counties of Oakland, Genesee, Livingston, Cass, Hillsdale and Lenawee,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

G. B. FENTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Miles,

The House concurred in the amendment made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill granting swamp lands to the county of Sanilac, to aid in cutting drains or ditches through certain swamps in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
Lansing, Feb. 7, 1867. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, the following, to wit:

An act to amend section 68, of an act entitled an act to incorporate the city of Battle Creek, approved February 8, 1859, relating to the powers of the common council to levy and collect taxes;

Also,

An act to amend section two, of an act entitled an act for the relief of school districts, approved February 7, 1855, and to add two new sections thereto;

Also,

An act to confirm the title of the Jackson, Lansing and Saginaw Railroad Company to the property, rights and franchises acquired by it of the Amboy, Lansing and Traverse Bay Railroad Company;

Also,

An act to attach certain unorganized towns to the township of Helena, Antrim county;

Also,

An act to legalize the action of the township of Marquette, and the township of Chocoy, in the county of Marquette, in raising money to macadamize a road between said townships;

Also,

An act for the better promotion of the interests of agriculture, manufactures, and the mechanic arts;

Also,

An act to amend section 3786, chapter 117, of the compiled

laws, in relation to transcripts and judgments rendered by justices of the peace;

Also,

An act to extend the time for the collection of taxes in the townships of Portland and Orange, in the county of Ionia;

Also,

An act to extend the time for the collection of taxes in the township of Dallas, in the county of Clinton, for the year 1866;

Also,

An act to extend the time for the collection of taxes in the township of Sebawaing, in the county of Huron;

Also,

An act to authorize fractional school district No. 17, of the townships of Ann Arbor and Scio, in the county of Washtenaw, to borrow moneys to build a school-house;

Also,

An act to extend the time for the collection of taxes in the township of Hancock, Houghton county, for the year 1866;

Also,

An act to authorize school district No. 8, of the township of Hudson, in the county of Lenawee, to borrow money for the purposes therein mentioned;

Also,

An act to authorize the city of Battle Creek to borrow money for city purposes, and to issue its bonds for the payment of the same;

Also,

An act to authorize the first Unitarian Society of Ann Arbor, in Washtenaw county, to purchase church property, and mortgage the same for purchase money;

Also,

An act to amend an act entitled an act to connect the Duncan, Alpena and Sauble River State road with the East Saginaw and Sauble River State road;

Also,

Joint resolution asking the General Government for a grant

of land to aid in the construction of the Mineral Range railroad.

HENRY H. CRAPO.

The message was laid on the table.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, Feb. 7, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 84, entitled

A bill to provide for the formation of corporations for establishing health institutions;

2. Senate bill No. 85, entitled

A bill to amend an act entitled an act to authorize the formation of corporations for building and leasing houses and other tenements, approved February 12, 1855, being section 1716, of the compiled laws, and to add a new section thereto;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Jenness offered the following:

*Resolved*, That the Secretary of State be and he is hereby requested to furnish this House an abstract of the annual re-

ports, for 1866, of all insurance companies organized under the laws of this State, giving information:

1st. As to stock companies—the name of the company; its location; the amount of its actual paid up capital, and of what the same consists, or in what it is invested; its losses and expenses for the past year, and its liabilities of all kinds.

2d. As to mutual companies—the name of the company; its location; the amount of its actual assets, and of what they consist; the amount of assessments levied the past year; amount of the same collected; whole amount of assessments not paid; amount of losses and expenses the past year, and the amount of its liabilities of all kinds.

3d. As to companies doing business on the stock and mutual system combined—the name of the company; its location; the amount of its actual paid up capital, and of what it consists; the amount of its guaranteed capital, so called, and of what it consists; its losses and expenses the past year, and the amount of its liabilities of all kinds.

And that he also report whether any companies have failed to comply with the law as to making an annual report, and if so the names of the companies;

Which was adopted.

Mr. Willard offered the following:

*Whereas*, In regard to the important question now before the American people, respecting the full restoration of the Federal Union, it is proper that the Legislatures of the different States should declare their views, and what they believe to be the prevailing views of the people whom they represent; therefore,

*Resolved*, (The Senate concurring,) That it is the deliberate conviction of the Legislature of Michigan—

I. That the Union should be restored on the basis of justice, firmly established peace, and the permanent welfare of the Federal Republic.

II. That such restoration requires, that in the unrestored States the right of the elective franchise should be secured to

the loyal citizens of said States, without distinction of race or color.

III. That no acts of Congress, or of the National Executive, which look toward the readjustment of these States to their proper relations with the Union are practicable, safe, or just, which do not recognize loyalty to the Union as the sole criterion of the right to determine the measures of such readjustment.

Laid on the table for one day, under the rules.

Mr. S. T. Parsons moved to reconsider the vote by which the House refused to pass House bill No. 33, entitled

A bill to repeal all existing laws, rules, and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counselor for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law in the circuit court;

Which motion prevailed.

The question recurring upon the passage of the bill,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays, follows:

#### YEAS.

Mr. Aitken,	Mr. Healy,	Mr. Rockwood,
Alexander,	Hill,	Schars,
Barber,	Holt,	Sexton,
Beall,	Hopkins,	Shetterly,
Benedict,	Huckins,	Slayton,
Boies,	Jewell,	O C. Smith,
Bonine,	Kedzie,	R. B. Smith,
Brownell,	Kingsbury,	E. Spalding,
A. S. Brown,	Locke,	P. S. Spaulding,
C. R. Brown,	Lovell,	Spence,
Canniff,	Mallet,	Stannard,
Camburn,	Mason,	Stevens,
Corey,	McCutcheon,	Swezey,
Crossman,	McKernan,	Swift,
Deane,	Mead,	Tompkins,
Dunlap,	Mickley,	Upton,
Eck,	Miles,	Van Vleet,
Emerson,	Newcombe,	Walker,

Emery,	Newell,	Warner,
Fellows,	L. D. Osborn,	Wells,
Fenton,	W. H. Osborn,	White,
Funston,	Packard,	Wilcox,
Gallup,	Parker,	Willard,
Glavin,	F. Parsons,	Wilson,
Greenfield,	S. T. Parsons,	Woodward
Grier,	Pearl,	Woodman,
Hawley,		

79

## NAYS.

Mr. Chauvin,	Mr. Murray,	Mr. Robinson,
Dusseau,	Parmelee,	Wright,
J. H. Jones,	Randall,	Speaker,
Lockwood,		

10

Title agreed to.

Mr. Lockwood offered the following:

*Whereas*, Mr. Geo. S. Frost, of the city of Detroit, has completed a large and valuable map of this State, showing all the late improvements, and those in contemplation, and much other valuable information, and which map he has kindly offered to loan this House for their use during the present session; therefore,

*Resolved*, That the House will gladly accept the loan of said map during the present session of this House, and that the Clerk communicate to Mr. Frost a copy of this preamble and resolution;

Which was adopted.

Mr. C. C. Smith gave notice that on some future day he would ask leave to introduce

A bill to authorize townships, villages and cities in the counties of Wayne, Oakland, Washtenaw, Livingston and Ingham, to loan money or pledge their credit to aid in the construction of a railroad on the most direct and feasible route from the city of Detroit to the city of Lansing.

Mr. Gallup offered the following:

*Resolved*, That hereafter the use of this Hall shall not be granted to any person, party, or society, except by a vote of two-thirds of all the members elect;

Which was adopted.

Mr. Dusseau gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 17, session laws of 1855, and amended 1861.

Mr. L. D. Osborn gave notice that on some future day he would ask leave to introduce

A bill to amend an act of session laws of 1865, entitled an act to encourage the erection and support of water-power manufacturing factories.

Mr. Boies gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 273, of the laws of 1865, entitled, an act to amend section 821, it being section 39, of chapter 17, compiled laws, relative to the payment of taxes to township treasurers.

Mr. Funston gave notice that on some future day he would ask leave to introduce

A bill for the construction of certain drains or ditches, in the townships of Lynn, Brockway and Emmett, in St. Clair county, and ask an appropriation of State swamp land for the same.

Mr. Camburn moved to discharge the committee of the whole from the further consideration of House bill No. 83, entitled

A bill to incorporate the village of Greenville;

Which motion prevailed.

On motion of Mr. Camburn,

The bill was placed on the order of third reading.

Mr. Stevens moved to discharge the committee of the whole from the further consideration of Senate manuscript bill, entitled

A bill to repeal the charter of the Monroe and Erie plank road company;

Which motion prevailed.

On motion of Mr. Stevens,

The bill was placed on the order of third reading.



Mr. White moved to take from the table House manuscript bill, entitled

A bill to amend an act entitled an act to amend section twenty-six, chapter one hundred and one, of the revised statutes of 1846, being section 3064 of compiled laws, relative to the sale of real estate of deceased persons;

Which motion prevailed.

On motion of Mr. White,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Woodward gave notice that on some future day he would ask leave to introduce

A bill to legalize certain tax rolls in Jackson county, and to protect certain officers, and said townships, from suits, by reason of the issue and collection of the same.

Mr. Van Vleet moved to discharge the committee of the whole from the further consideration of House bill No. 132, entitled

A bill to authorize the judge of probate of Genesee county, to complete the records of proceedings had before his predecessor;

Which motion prevailed.

On motion of Mr. Van Vleet,

The bill was placed on the order of third reading.

Mr. Kingsbury gave notice that on some future day he would ask leave to introduce

A bill to amend sections 5, 19, 20, 24, 26, chapter 57, of the compiled laws.

Mr. Fenton offered the following

**CONCURRENT RESOLUTION, Relative to the Restoration of the Southern States.**

*Whereas*, The present policy of Congress in interfering with the rights and privileges of the Executive and the Supreme Court, co-ordinate branches of the General Government, must, if persisted in by Congress, lead to the most deplorable results,

if not to the total destruction of the cardinal principles upon which our government is founded;

*And whereas,* The lately rebellious States have fully complied with all the constitutional obligations imposed by the General Government, as a condition precedent to their full restoration to the Union as sovereign States;

*And whereas,* The present course of Congress, in imposing new and still harder terms on those States, contrary to the most solemn promises made by the said Congress, to the people of the United States, is a just cause of alarm to the lovers of free institutions and good government, and a serious blow at the financial prosperity and welfare of the nation;

*And whereas,* A longer exclusion of the southern States is greatly detrimental and unjust to the already over-burdened people of the north, who are called upon to pay more than their just share of taxation, for the support of the government, chiefly owing to the policy of Congress, which has excluded these States from their just rights and privileges under the constitution, and diverted capitalists and others from developing the vast resources of said States, and thereby enabling them to contribute their just share of taxation for the support of the government; therefore,

*Resolved,* (the Senate concurring,) That it is the paramount duty of Congress to ignore mere party aggrandizement, and at an early day to admit the loyal Senators and Representatives of the Southern States, to their seats in the Congress of the nation, and to restore the said States to all their rights and obligations as equal and sovereign States of this Union.

*Resolved,* That a further disregard by Congress of the rights and wishes of the now loyal people of the south, is a serious embarrassment to the General Government, and a total disregard of the constitutional rights of the people.

*Resolved,* That the elective franchise in the different States of the Union, is a question beyond the jurisdiction of the General Government, and remains solely with the respective States,

and should not be made a condition precedent to the admission of any State or territory into the Union.

Laid on the table for one day, under the rules.

Mr. Crossman gave notice that on some future day he would ask leave to introduce

A bill to authorize the trustees of the First Baptist Church, of Mason, in Ingham county, to mortgage their church property.

Mr. R. B. Smith gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Hubbardston, in Ionia county.

Mr. Grier gave notice that on some future day he would ask leave to introduce

A bill to amend sections one (1) and three, (3,) of an act entitled "an act to authorize the issuing of patents for certain railroad lands in the Upper Peninsula, being act No. one hundred and seventeen, (117,) of the session laws of 1865."

Mr. Jewell gave notice that on some future day he would ask leave to introduce

A bill to authorize union school district number one, of the township of Grattan, in Kent county, to issue bonds for school-house purposes.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill for the incorporation of industrial and other charitable schools.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Holt, previous notice having been given, and leave being granted, introduced

A bill to authorize the village of Muskegon to borrow money and to issue bonds therefor, for the purpose therein mentioned.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Spence, previous notice having been given, and leave being granted, introduced

A bill to provide for the geological survey of the State,

The bill was read a first and second time by its title, and referred to the committee on geological survey.

Mr. Miles, previous notice having been given, and leave being granted, introduced

A bill to change the name of the village of Marine, in the county of St. Clair, to Marine city.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Sohars, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of New Baltimore.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Camburn, previous notice having been given, and leave being granted, introduced

A bill to authorize certain townships in the counties of Ionia and Montcalm, to vote a tax or pledge their credit to aid in the construction of a plank road, from Ionia, in Ionia, county to Stanton, in Montcalm county.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations

Mr. Shetterly, previous notice having been given, and leave being granted, introduced

A bill for the return and settlement of tax sales, by county treasurers.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to allow defendants in action in courts of record, to make an offer of judgment or decree in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier previous notice having been given, and leave being granted, introduced

A bill in relation to security for costs.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to authorize proceedings by garnishment in the circuit courts, and in the district court of the Upper Peninsula," approved March 16, 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to authorize judgments to be taken in vacation in suits pending in courts of record in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hill, previous notice having been given, and leave being granted, introduced

Joint resolution asking for a grant of lands for a railroad from the iron mining region, of the Upper Peninsula, to Munising and the Straits of Mackinac.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Wright, previous notice having been given, and leave being granted, introduced

A bill to amend section 7, of act No. 205, of session laws of 1865, entitled an act to provide for a tax on dogs.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Emerson, previous notice having been given, and leave being granted, introduced

A bill to vacate the township of Pewabic, in the county of Ontonagon, and attach the same to the townships of Ontonagon, Rockland and Carp Lake, in said county of Ontonagon.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Barber, previous notice having been given, and leave being granted, introduced

A bill to provide for the assessment and collection of certain school taxes in the third ward of the city of Coldwater, Michigan.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Healy, previous notice having been given, and leave being granted, introduced

A bill to amend section 1259, of the compiled laws, being section 19, of chapter 81, of the revised statutes of 1846, relative to weights and measures.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. A. S. Brown, previous notice having been given, and leave being granted, introduced

A bill for the protection of lands, and to punish the cutting and carrying away of timber therefrom.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. VanVleet previous notice having been given, and leave being granted, introduced

A bill to amend act No. 244, of the session laws of 1859, being an act to amend section eleven of the act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, eighteen hundred and fifty-one, and being section three hundred and forty-five, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Woodman gave notice that on some future day he would ask leave to introduce

A bill to provide for recording soldiers discharges.

On motion of Mr. Walker,

The House adjourned until to-morrow morning, at 10 o'clock.

*Lansing, Saturday, February 9, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. McIntire.

Roll called: quorum present.

Absent at roll-call, without leave, Messrs. W. G. Brown, Haven and Van Vleet.

Mr. Upton asked and obtained leave of absence for Mr. W. G. Brown, for an indefinite time.

Mr. Boies asked and obtained leave of absence for himself, until Tuesday next.

Mr. Robinson asked and obtained leave of absence for Mr. Haven, until Monday next.

Mr. Aitken asked and obtained leave of absence for Mr. Van Vleet, until Tuesday next.

MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER, }  
*Lansing, Feb. 8, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to re-transmit the following bill, entitled

A bill to legalize certain bonds issued by the townships of Kalamazoo and Portage, in the county of Kalamazoo, to aid in the construction of the Kalamazoo and Schoolcraft railroad;

Which passed both Houses of the Legislature, and was returned to the Senate without the approval of His Excellency the Governor, with his reasons therefor, (which are herewith also transmitted;)

And to inform the House that the Senate has passed the bill by a vote of two-thirds of all the Senators elect, notwithstanding the objections of the Executive, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The following is the message of the Governor, which accompanied the message from the Senate:

EXECUTIVE OFFICE,  
Lansing, Feb. 5, 1867. }

*To the President of the Senate:*

SIR—I herewith respectfully return, through you, to the Senate, without my approval,

A bill entitled “an act to legalize certain bonds issued by the townships of Kalamazoo and Portage, in the county of Kalamazoo, to aid in the construction of the Kalamazoo and Schoolcraft Railroad.”

The novel character of the legislation proposed by this bill, the magnitude of the interests involved by the adoption of such a precedent, and the effects which, I believe, are certain to result from such legislation, require at my hands a thorough and candid consideration of its merits. This consideration I have carefully and conscientiously given to it.

It appears that the townships of Kalamazoo and Portage, at an annual or special meeting held in those townships, voted to issue the bonds of said townships in aid of the construction of the railroad named in the bill, and that said bonds have been issued and sold, and the proceeds applied to the construction of said railroad.

That the action of these towns in thus making municipal appropriations and creating municipal indebtedness, is clearly illegal, requires no argument. There was no authority, from any existing law, by which these towns could thus act; and I do not see how it is possible for any difference of opinion to exist upon the question of the illegality and invalidity of the votes and subsequent action of these towns, in the issue of said bonds, and the expenditure of the money derived therefrom. Were this not so, there would be no occasion for any legislative act legalizing the same.

The plain statement of the case appears to be this: The proceedings had by these towns are null and void, and the bonds or obligations issued by them are utterly worthless, so far as



they seek to create any liability in those towns for payment. These proceedings, initiated and carried through without regard to and in violation of law, have, at this moment, no legal force. If this be so—and I think the proposition cannot be controverted—what is the practical effect of this bill? To my mind, it is simply to tax the towns of Kalamazoo and Portage in the sums of \$60,000 and \$3,000 respectively, to aid in the construction of a railroad. Has the Legislature of Michigan, under the Constitution, the power and authority to do this? I think not. The bill under consideration does not confer authority upon the towns to issue bonds in pursuance of any prescribed mode of municipal action, but declares that certain bonds, *now void*, shall be obligatory upon said towns, and that said towns shall be taxed for their payment, both principal and interest. It thus becomes, in fact, a case of compulsory taxation, without the legal assent or approval of the voters of said towns.

But, besides this, the legalization of the action of municipal corporations, and of State, county and town officials, even when the same may be clearly within the spirit, or not prohibited by the Constitution, is something requiring in its exercise the most extreme caution, as well as the most rigid limitations, and, as a rule of legislative action, should never be adopted.

Legislation, I am aware, has been properly employed to legalize tax-rolls, &c.; but this has been done to correct clerical errors, to remedy inadvertent and unintentional neglect to comply with technical forms, and to give force to official acts, which might otherwise defeat the just and equal execution of existing laws. But the case under consideration presents no such features. The action of these towns was not inadvertently done, nor from a failure, through ignorance or error, to comply with the forms of law, but was deliberately and knowingly made, without even the color or pretense of law.

It is true, also, that the Legislature has, in case of bonds issued for soldiers' bounties, legalized the action of towns where

there was no existing statutory provision warranting the original action of those towns. But that was done under the pressure of "war necessity," at a time of national peril, and to avoid the hardships and evils of a military draft, and for the honor of the State. Such legislation cannot be urged as a precedent for legalizing unauthorized and invalid municipal grants to private railroad corporations. The cases are not parallel; and, in my opinion, if the illegal action of towns, such as is shown in this bill, meets with legislative sanction, the binding force of and the reverence due to the laws enacted by the State, will be immeasurably weakened. The inevitable tendency of such practice will lead to a trifling with and a disregard of law, which cannot but be injurious to the best interests of the State; and a precedent will thus become established, which cannot fail hereafter to be used by interested parties, and by unwarrantable combinations, to legalize acts, not only of the most objectionable character, but such, also, as may be opposed to reason, and in violation of all law. No matter how desirable the end may be regarded which is sought to be secured by this legislation, nothing can compensate for the mischief and for the long catalogue of evils which, in my opinion, is sure to result from it in the future. It may be said by the friends of this measure, that it is a special and an urgent case, and need not, and should not, therefore, be used as a precedent for similar action hereafter. But how is this to be avoided? If we are unable *now* to enforce the principle of right against an importunity to do that which is wrong, shall we be any stronger to resist when we are committed to the practice? Arguments will no more be wanting in any similar case hereafter than in this; and can it not, with propriety, be also urged, that inasmuch as this has already been done in one case, there is, at least, an implied pledge that it will be done in all other like cases; and where will be the argument for doing this in one instance, and refusing to do it in another, and a similar one?

It is urged in the present case, (as recited in the preamble of the bill,) that a majority of the voters of Kalamazoo and

Portage have, by their votes, declared in favor of this grant and the issue of these bonds, and that as the majority are thus desirous of making this debt, their voice and will should receive the sanction of the Legislature; that the provisions of the bill are local, and that the parties directly interested therein have, by their votes, deliberately signified their desire to be taxed for the purposes named. Even if this be so, then we should remember that the minority have certain rights as well as the majority, and that these rights should receive that protection at our hands which the Constitution and laws guarantee to them. All the tax-payers, upon whom the burden of this heavy taxation must fall, have a right to require that all the forms of law should be faithfully complied with."

But, have the *majority* thus expressed a willingness to be taxed to aid this corporation in the construction of a railroad? It is fair to presume that many of the electors, conscious of the illegality of the proposed action, believing that the votes adopted could have no binding force, or fearful lest their participation in the same might prejudice their rights, purposely abstained from voting. If so, then, instead of carrying out the wishes of the majority, we may, by the passage of this bill, be placing unwarrantable power in the hands of an interested minority.

Again, it is urged in the preamble that these bonds have been issued and sold to *bona fide* purchasers. This consideration should not have controlling weight in the determination of this question. Our conclusion should be uninfluenced by the personal interests of the bond-holders. The failure to legalize these bonds may occasion loss to capitalists who have invested in them; yet, it must be remembered that the persons who thus purchased did so with knowledge, actual and implied, of the very invalidity and worthlessness of the bonds, in consequence of having been issued without authority of law. There was no deception or misapprehension about the character of these bonds; and the class of persons investing in such securities had undoubtedly the ability and disposition thoroughly to

investigate their merits, and calculate the chances of their ultimate payment.

But, however this may be, I cannot see that we have any right to discriminate in favor of those who have seen fit to invest in said bonds, by legalizing proceedings now null and void, through the instrumentality of an act of questionable constitutionality, and without the assent, legally obtained, of the people to be burdened by the proposed taxation. Aside from this particular case, the practice of sanctioning or legalizing, by legislative enactments, illegal and invalid acts, excepting in the class of cases to which I have alluded, is not only very objectionable as a precedent, inasmuch as it would be very likely to lead to serious abuses; but such laws must necessarily operate in the nature of *ex post facto* legislation, which is expressly prohibited by the Constitution.

I therefore respectfully ask of the Legislature a reconsideration of the bill which has been submitted to me, and which I return without my official approval, with the hope that a policy so unwise and dangerous, as I am forced to regard this, will not be adopted.

HENRY H. CRAPO.

On motion of Mr. Walker,

The vote by which the bill was passed was reconsidered.

The question being on the passage of the bill, the objections of his Excellency the Governor, to the contrary notwithstanding,

The bill was passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Howard,	Mr. Rockwood,
Alexander,	Jewell,	Schars,
Ball,	J. H. Jones,	Sexton,
Barber,	Kedzie,	Shepherd,
Beall,	Kingsbury,	Slayton,
Benedict,	Locke,	C. C. Smith,
Bonine,	Lockwood,	R. B. Smith,
C. R. Brown,	Lovell,	P. S. Spaulding,
Canniff,	Mallet,	Spence,
Corey,	Mason,	Stannard,

Crossman,	McKernan,	Stevens,
Dunlap,	Mead,	Sweezy,
Eck,	Mickley,	Swift,
Emerson,	Miles,	Tompkins,
Emery,	Murray,	Upton,
Fellows,	L. D. Osborn,	Walker,
Fenton,	W. H. Osborn,	Warner,
Glavin,	Packard,	Wells,
Greenfield,	F. Parsons,	White,
Grier,	S. T. Parsons,	Wilcox,
Healy,	Pearl,	Willard,
Hill,	Randall,	Wilson,
Holt,	Robinson,	Woodward,
Hopkins,		

70

## NAYS.

Mr. A. S. Brown,	Mr. Hawley,	Mr. L. Smith,
Camburn,	Huckins,	E. Spalding,
Chauvin,	Newcombe,	Taylor,
Deane,	Newell,	Woodman,
Dusseau,	Parker,	Wright,
Funston,	Parmelee,	Speaker,
Gallup,	Shetterly,	

20

## PRESENTATION OF PETITIONS.

By Mr. Hawley: petition of J. V. Spencer, Frank Peavey and 159 others, citizens of Battle Creek, Calhoun county, praying that the Legislature will not grant the University any appropriation until she has complied with the law of the State, which provides that there shall always be at least one professor of Homeopathy in the department of medicine, or that if the Legislature shall grant the University the appropriation she asks for, it be made conditional to her filling, in good faith, the chair of Homeopathy in said University;

Also, the petition of W. H. Taft and 45 others, citizens of Detroit, for the same purpose;

Also, the petition of S. B. Wright and 35 others, citizens of Wyandotte, Wayne county, for the same purpose;

Also, the petition of A. D. Crane and 7 others, citizens of Washtenaw county, for the same purpose.

By Mr. Glavin: petition of J. D. Craig, J. M. Partridge and

59 others, citizens of Niles, Berrien county, for the same purpose;

By Mr. L. Smith: petition of T. Bambrough and 45 others, citizens of Alma, Gratiot county, for the same purpose.

By Mr. Taylor: petition of W. H. Bartram and 21 others, citizens of Saginaw county, for the same purpose.

By Mr. Woodward: petition of L. C. Reynolds and 165 others, for the same purpose;

Also, the petition of Jacob Kissel and 40 others, citizens of Van Buren county, for the same purpose.

By Mr. Stannard: petition of David Wortman and 80 others, citizens of Ionia county, for the same purpose.

By Mr. Mickley: petition of W. M. Bassett and 102 others, citizens of Lenawee county, for the same purpose.

By Mr. J. H. Jones: petition of F. A. Benham and 57 others, citizens of Branch county, for the same purpose.

By Mr. Pearl: petition of D. A. Davis and 14 others, citizens of Clinton county, for the same purpose.

By Mr. Alexander: petition of M. F. White and 50 others, citizens of Clinton county, for the same purpose.

By Mr. Shepherd: petition of T. D. Van Valkenburgh and 95 others, citizens of Allegan county, for the same purpose.

By Mr. P. S. Spaulding: petition of James H. Hyde, and 143 others, citizens of Eaton county, for the same purpose.

By Mr. Greenfield: petition of J. D. Dennis, M. D., and 24 others, citizens of Tuscola county, for the same purpose.

By Mr. Rockwood: petition of Thos. W. Pettee and 69 others, citizens of Genesee county, for the same purpose.

By Mr. Crossman: petition of Levi W. Mann and 58 others, citizens of Ingham county, for the same purpose.

By Mr. Corey: petition of L. Walker and 68 others, citizens of Washtenaw county, for the same purpose.

By Mr. Howard: petition of E. B. Graham and 47 others, citizens of St. Joseph county, for the same purpose.

By Mr. A. S. Brown: petition of A. H. Huron and 29 others, citizens of Van Buren county, for the same purpose.

By Mr. Parker: petition of Daniel F. Tompkins and 53 others, citizens of Washtenaw county, for the same purpose.

By Mr. Randall: petition of John Day and 45 other citizens of Calhoun county, for the same purpose.

By Mr. Murray: petition of Dr. A. G. Chase and 49 others, citizens of Kent county, for the same purpose.

By Mr. Wright: petition of John Ross and 40 others, citizens of Oakland county, for the same purpose.

All of which were referred to the committee on education.

By Mr. Hawley: protest of S. B. Thayer, of Battle Creek, against any further legislation, to aid Homeopathy in the University.

Referred to the committee on education.

By Mr. L. Smith: petition of E. H. Ewell and 160 others, citizens of Gratiot county, praying that the townships, villages and cities, in the counties of Saginaw, Gratiot and Clinton, may be authorized to vote a tax to aid in the construction of a plank road.

Referred to the committee on banks and incorporations.

By Mr. E. Spalding: petition of J. A. Bigelow, Sidney Drake and 53 others, citizens, soldiers and sailors, of Oakland county, asking the passage of a law to equalize the State bounty for soldiers and sailors in the service of the United States, during the late rebellion.

Referred to the committee on bounties.

By Mr. Randall: petition of W. C. Aiken and 36 others, citizens of Tekonsha, Calhoun county, praying the Legislature to repeal chapter 78, and section 140, of compiled laws, relative to primary school tax.

Referred to the committee on ways and means.

By Mr. L. Smith: petition of Orange Hopkins and many others, citizens of Gratiot and Isabella counties, asking for an appropriation to aid in the construction of a certain State road;

Also, the petition of J. N. Robinson and 171 others, for the same purpose.

Referred to the committee on roads and bridges.

By Mr. Grier: petition of J. B. Silvernale and 48 others, citizens of Bay county, asking for an appropriation of swamp lands to build a State road in Bay county.

Referred to the committee on public lands.

By Mr. Canniff: petition of A. Winchester and 24 others, citizens of Allen, Hillsdale county, praying for such legislation as will compel the Michigan Southern Railroad Company to afford proper and reasonable facilities to the citizens of this State.

Referred to the committee on internal improvements.

By Mr. Ball: petition of the board of trustees of the Howell union school and many others, asking for a system of county superintendents of schools.

Referred to the committee on education.

By Mr. Crossman: petition of the trustees of the first Baptist Church of Mason, asking authority to mortgage their church property.

Referred to the committee on religious and benevolent societies.

By Mr. Greenfield: petition of J. H. Richardson, D. G. Slaf-ter and 57 others, citizens of Tuscola county, asking the pas-sage of a law authorizing the laying out of a road from a point in township 12 north, of range 6 east, to Marathon, in Lapeer county, and an appropriation of State swamp lands to aid in the construction thereof.

Referred to the committee on public lands.

By Mr. L. D. Osborn: petition of Norman Lynch and 108 others, of the town of Newburgh, in the county of Cass, pray-ing the Legislature to legalize the action of said town in voting aid to the Grand Trunk railroad of Michigan.

Referred to the committee on internal improvements.

By Mr. Bonine: petition of George W. Harris, Wm. B. Bee-son, S. L. Beeson and 22 others, citizens of Niles, praying for a law to enlarge the corporate limits of the city of Niles, in Ber-rien county.

Referred to the committee on banks and incorporations.



## REPORTS OF STANDING COMMITTEES.

By the committee on bounties:

The committee on bounties, to whom was referred sundry petitions, praying for the passage of an act to equalize the payment of State bounties;

And also,

A bill to provide for equalizing the payment of State bounties of all soldiers and sailors mustered into the military service of the United States from this State, and credited to the quota of the same during the late rebellion,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. R. BROWN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kedzie,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred the petition of Joel Carpenter, A. H. Crane, Lysanter Ormsby, Dr. Newcombe and 255 others, asking for the organization of the township of Deerfield, in Lenawee county; also the remonstrance of Charles Cannon and 128 others against the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to organize the township of Deerfield, in Lenawee county,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition and remonstrance were laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach the township of Watertown from Tuscola county, and attach the same to Lapeer county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain territory from the county of Sanilac, and attach the same to Lapeer county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to amend act No. 147, of session laws of 1861, it being sections 2014 and 2017 of compiled laws, with reference to religious societies, so as to authorize the recording of articles of association, and to give trustees, wardens and vestrymen authority to execute security upon church property in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. S. PARMELEE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on geological survey:

The committee on geological survey, to whom was referred

A bill to provide for the geological survey of the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. R. SPENCE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 54, entitled

A bill to amend sections 12, 22, 28, 31, 41, 53, 55, 98, 107, 109, 137 and 140, of chapter fifty-eight, of the revised statutes of eighteen hundred and forty-six, being sections 2255, 2265, 2271, 2274, 2284, 2296, 2298, 2322, 2341, 2350, 2352, 2378, 2381, of the compiled laws, and section 14 of an act entitled "an act for the relief of school districts," approved February 7, A. D. 1855, being section 2412 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to revise the charter of the village of Hastings,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. SWEEZEY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the village of Berrien Springs,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. SWEEZEY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shetterly,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of the common council, and 32 other citizens of Dexter, praying for an amendment to their charter;

Also,

A bill to amend sections one, two, three, five, twelve, thirteen, twenty-one and twenty-five, of act No. 93, of the session laws of 1855, entitled an act to incorporate the village of Dexter,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of Gilbert Hathaway and 42 others, praying for the incorporation of the village of New Baltimore;

Also,

A bill to incorporate the village of New Baltimore,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. SWEEZEY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of D. Scotton and 29 others, citizens of the town of Springwells, county of Wayne, praying for the incorporation of the village of Riverside; also, the remonstrance of Edward Campau and 53 others, citizens of said town, against said incorporation;

Also,

A bill to organize the village of Riverside, in the county of Wayne,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 34, entitled

A bill to provide for the formation of corporations for establishing health institutions,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 35, entitled

A bill to amend an act entitled "an act to authorize the formation of corporations for building and leasing houses and other tenements," approved February 12, 1825, being section 1716, of the compiled laws, and to add a new section thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on bounties:

The committee on bounties, to whom was referred the petition of Peter Desnoyers, William B. Wessan, Thomas Hopson and 300 others, tax-payers of Hamtramck, for power to raise money to refund advances made to fill quotas,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to authorize the qualified electors of the township of Hamtramck, in the county of Wayne, and State of Michigan, to raise a sum of money to pay for money advanced and borrowed to fill a quota and pay bounties to volunteers, to aid in suppressing the rebellion,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

C. R. BROWN, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and,

On motion of Mr. Swift,

Was placed on the order of third reading.

The petition was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill No. 49, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Crawford's marble quarry to the Duncan, Alpena and Sauble river State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of Ransom E. Wood, C. B. Allen and eighty others, asking for a grant of ten thousand acres of State swamp lands, to aid the improvement of Flat river, in Kent county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the prayer of the petitioners be not granted, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. L. Smith,

The petition was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of A. Butler and 55 others;

Also,

A bill to provide for the construction of a State swamp land road, from Sutter's Bay, in Leelanaw county, to Glenn Arbor, all in Leelanaw county,



Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the construction of a State swamp land road from Manistee bridge, in Wexford county, to Lake Michigan, in Manistee county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill and numerous petitions, to provide for the construction of a State road from Midland city, in Midland county, to Traverse city,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize the village of Muskegon to borrow money and issue bonds therefor, for the purpose therein mentioned,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of district board of school district No. 6, of the township of Marengo, in the county of Calhoun, asking to issue bonds to raise money to build a school-house.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to authorize school district No. 6, of the township of Marengo, in the county of Calhoun, to borrow money, and issue bonds therefor, for the purpose therein mentioned,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to provide for the assessment and collection of certain school taxes in the third ward of the city of Coldwater, Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to attach certain tracts of land to fractional union school district number one, in the township of Saline, in the county of Washtenaw;

Also, the petition of the inhabitants and tax-payers of said district, praying for the passage of a law for that purpose,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize fractional school district number one, of the townships of Saline, York, Pittsford and Lodi, in the county of Washtenaw, to borrow money for the purpose therein mentioned,

Recommending that so much of the prayer of said petitioners as relates to the change of boundaries of said district be not granted; also,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Corey,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 127, of chapter 117, of the compiled laws, as amended by act No. 186, of the laws of 1863, relative to costs in justices' courts;

Also,

A bill to amend an act entitled an act to amend an act to authorize mining companies to subscribe and take stock in plank roads or railroads, and to regulate taxation thereon, approved February 8, 1855, being section 1831 of the compiled laws, approved March 14, 1863;

Also,

A bill for the relief of settlers upon swamp lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bills do pass and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

The bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize the payment of the traveling expenses of the justices of the Supreme Court, and the circuit judges of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize the payment of the traveling expenses of the circuit judges of this State,

Recommend that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill enlarging the corporate powers and privileges of the First Congregational Society of East Saginaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment.

Your committee would also respectfully report that the said bill differs from present provisions of law in only one particular, viz: in its concluding clause, in which it confers upon the church therein named, authority "to erect on the real estate now owned by said society, buildings to be rented for business purposes." Deeming this a change in the present policy of the State in regard to the authority and powers heretofore conferred upon religious societies, they would therefore make no recommendation, and ask to be discharged from the further consideration of the bill.

L. S. PARMELEE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Newcombe,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section two, of an act entitled an act to provide for the protection of game in the State of Michigan, being act number 278, of the laws of 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of Valentine A. Saph, and 24 other citizens of the village of Marine, in the county of St. Clair, to change the name of the village of "Marine," in St. Clair county, to "Marine City;"

Also,

A bill to change the name of the village of Marine, to Marine City,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name Calvin Moon to Calvin Lockwood,

Respectfully report that they have had the same under consideration, and are of the opinion that act number twenty-six, of the laws of 1861, being "an act to provide for changing the

names of minor adopted children and other persons," renders any legislation for changing names unnecessary. They have therefore directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Miles,

The bill was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, February 8, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 73, entitled

A bill to legalize the assessment roll of the township of Fort Iratiet, and provide for the collection thereof;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,

On motion of Mr. Miles,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the bill was put upon its passage.

The bill, being Senate bill No. 73, entitled

A bill to legalize the assessment roll of the township of Fort Iratiet, and to provide for the collection thereof,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Miles asked and obtained the unanimous consent of the House to amend the bill, by inserting in the second line of section one, after the word "Gratiot," the words, "in the county of St. Clair."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Hill,	Mr. Robinson,
Alexander,	Holt,	Rockwood,
Ball,	Howard,	Schars,
Barber,	Huckins,	Sexton,
Beall,	Jewell,	Shepherd,
Benedict,	J. H. Jones,	Shetterly,
Bonine,	Kedzie,	Slayton,
Brownell,	Kingsbury,	C. C. Smith,
A. S. Brown,	Locke,	L. Smith,
C. R. Brown,	Lockwood,	P. S. Spaulding,
Canniff,	Lovell,	Stannard,
Camburn,	Mallet,	Stevens,
Chauvin,	Mason,	Sweezey,
Corey,	McKernan,	Swift,
Crossman,	Mead,	Taylor,
Deane,	Mickley,	Tompkins,
Dunlap,	Miles,	Upton,
Dusseau,	Murray,	Walker,
Eck,	Newcombe,	Warner,
Emerson,	Newell,	Wells,
Fellows,	L. D. Osborn,	White,
Fenton,	W. H. Osborn,	Wilcox,
Funston,	Packard,	Willard,
Gallup,	Parker,	Wilson,
Glavin,	F. Parsons,	Woodward,
Greenfield,	S. T. Parsons,	Woodman,
Grier,	Parmelee,	Wright,
Hawley,	Pearl,	Speaker,
Healy,		

85

## NAYS.

Mr. Spence,

1

Mr. Bonine moved that Mr. Spence be excused from voting;  
Which motion did not prevail.

Mr. Spence then voted as recorded above.



The question being upon agreeing to the title of the bill,

Mr. Miles moved to amend the title by inserting after the word "Gratiot," the words "in the county of St. Clair."

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Miles,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 8, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 81, entitled

A bill to revise the charter of the village of Hudson,

And to inform the House that the Senate has amended the same as follows:

1. By striking out of the 1st line of section 8, the words "three dollars per day," and by inserting in the 3d line of said section, after the word "eighteen," the following: "such compensation as shall be allowed by law to inspectors of elections in the several townships of this State;"

2. By striking out all of line 81, of section 31, after the word "village," and all of line 82, and by inserting in lieu thereof the following words: "and to compel such building to be erected upon such line by fine upon the owner thereof, not exceeding five hundred dollars for such offense;"

3. By striking out of line 19, in section 36, the word "six," and inserting in lieu thereof the word "twelve;"

4. By striking out of line 8, of section 55, the words "the village of Hudson," and inserting in lieu thereof, the words, "the people of the State of Michigan;"

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has

ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Wilcox moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

# YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Robinson,
Alexander,	Hopkins,	Rockwood,
Ball,	Howard,	Schars,
Barber,	Huckins,	Sexton,
Beall,	Jewell,	Shepherd,
Benedict,	J. H. Jones,	Shetterly,
Bonine,	Kedzie,	Slayton,
A. S. Brown,	Kinsbury,	C. O. Smith,
C. R. Brown,	Locke,	L. Smith,
Canniff,	Lockwood,	E. Spalding,
Camburn,	Lovell,	P. S. Spaulding,
Chauvin,	Mallet,	Spence,
Corey,	Mason,	Stannard,
Crossman,	McKernan,	Stevens,
Deane,	Mead,	Sweezey,
Dunlap,	Mickley,	Swift,
Eck,	Miles,	Taylor,
Emerson,	Murray,	Tompkins,
Emery,	Newcombe,	Upton,
Fellows,	Newell,	Walker,
Fenton,	L. D. Osborn,	Warner,
Funston,	W. H. Osborn,	Wells,
Gallup,	Packard,	Wilcox,
Glavin,	Parker,	Willard,
Greenfield,	F. Parsons,	Wilson,
Grier,	S. T. Parsons,	Woodward,
Hawley,	Parmelee,	Woodman,
Healy,	Pearl,	Wright,
Hill,	Randall,	Speaker,

87

# NAYS.

Mr. Brownell, Mr. Dusseau,

2

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 8, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate manuscript joint resolution, entitled  
Joint resolution relating to the Northern Pacific Railroad;  
Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and referred to the committee on internal improvements.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 8, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill for the extension of the time for the collection of a certain ditch tax, in the township of Olive, in the county of Clinton, for the year 1866;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, February 8, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 61, entitled

A bill to regulate drayage to and from railroads;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 8, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 56, entitled

A bill to amend section 2923, of the compiled laws, relative to the examination of claims against estates by judges of probate;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, Feb. 8, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolutions:

1. House joint resolution No. 10, entitled

Joint resolution asking Congress to make money appropriations for the survey of the harbor of Alpena, at the mouth of Thunder Bay River, and for building a light house, and making other improvements thereat;

2. House joint resolution No. 11, entitled

Joint resolution asking Congress for an appropriation of money to improve Portage lake and river, in Houghton county;

3. House manuscript joint resolution, entitled

Joint resolution asking for an appropriation in money to aid in the construction of a harbor at New Buffalo, Berrien county;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The several joint resolutions were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 8, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution asking the government of the United States for an appropriation in money, for the construction of harbors, at the mouths of the Pentwater and Pere Marquette rivers,

And to inform the House that the Senate has amended the

first resolution, by inserting the words "Kalamazoo, White," before the word "Pentwater," and amended the title also to correspond with the resolution as amended;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Woodman moved to amend the Senate amendment by inserting the words "South Black," after the word "White;"

Which motion prevailed.

Mr. Deane moved that the House concur in the amendment made to the joint resolution by the Senate;

Which motion did not prevail, by yeas and nays, as follows:

#### YEAS.

Mr. A. S. Brown,	Mr. Jewell,	Mr. Pearl,
Canniff,	Locke,	Randall,
Eck,	McKernan,	Robinson,
Fellows,	Mead,	Schara,
Fenton,	Mickley,	Shetterly,
Funston,	Murray,	C. C. Smith,
Gallup,	L. D. Osborn,	L. Smith,
Healy,	Packard,	P. S. Spaulding,
Hill,	Parker,	Tompkins,
Holt,	F. Parsons,	Warner,
Howard,	Parmelee,	Woodman. 33

#### NAYS.

Mr. Aitken,	Mr. Hawley,	Mr. E. Spalding,
Alexander,	Hopkins,	Spence,
Ball,	J. H. Jones,	Stannard,
Barber,	Kedzie,	Stevens,
Benedict,	Kingeby,	Sweezy,
Bonine,	Lockwood,	Swift,
Brownell,	Lovell,	Taylor,
C. R. Brown,	Mallet,	Upton,
Camburn,	Mason,	Walker,
Chauvin,	Newcombe,	Wells,
Corey,	Newell,	White,
Crossman,	W. H. Osborn,	Wilcox,
Deane,	S. T. Parsons,	Willard,
Dunlap,	Rockwood,	Wilson,

Dueseau,  
Emery,  
Glavin,  
Greenfield,

Sexton,  
Shetterly,  
Slayton,

Woodward,  
Wright,  
Speaker,

52

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 8, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved,* (The Senate concurring,) That a joint committee, consisting of three members of the House and two from the Senate, be appointed, to inquire by what authority, if any, the so-called Detroit and Milwaukee Railroad Company are exercising the powers and privileges of a corporate body, with power to send for persons and papers, and to report by bill or otherwise;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect,

And to inform the House that Senators Green and Standish have been appointed as the members of said committee on the part of the Senate.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker announced as the committee on the part of the House, Messrs. R. B. Smith, S. T. Parsons and Kingsbury.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Lookwood gave notice that on some future day he would ask leave to introduce

A bill to provide for the settlement and drainage of the swamp lands, by actual settlers, and to repeal certain laws therein named.

Mr. Pearl gave notice that on some future day he would ask leave to introduce

A bill to change the name of the village of Greenbush, in the county of Clinton, to Eureka.

Mr. Newcombe offered the following:

*Resolved*, That hereafter, no excuse from voting shall be asked for any member of the House, except at his request,  
Which was not adopted.

Mr. J. H. Jones offered the following:

*Whereas*, The people living on the line of the Michigan Southern and Northern Indiana railroad complain as to the management of said road—1st. That passengers are subject to an unreasonable and unnecessary delay at Toledo of from 7 to 16 hours, and that all mail matter is detained and delayed at the same place the same time; 2d. That through freight is given the preference over local freight, thereby causing great loss to the shippers of freight and to the farmers of Southern Michigan; 3d. That a greater rate of fare is demanded than is allowed by law.

*And whereas*, It is our duty to protect the rights of the people from the encroachments of great railroad corporations; therefore

*Resolved by the House of Representatives*, That a special committee of five be appointed by the Speaker, and that such committee be instructed to investigate the charges against the Michigan Southern and Northern Indiana Railroad Company, and report to this House what further legislation is needed (if any) to protect the citizens of this State from the alleged unreasonable rules and regulations of said railroad company;

Which was adopted.

The Speaker announced as such committee, Messrs. J. H. Jones, C. R. Brown, Boies, Stevens and Howard.

Mr. Newcombe moved to discharge the committee of the whole from the further consideration of House bill No. 100, entitled

A bill to authorize the Saginaw and Genesee Plank Road Company to discontinue the whole, or any portion of their road, and for other purposes;



Which motion prevailed.

On motion of Mr. Newcombe,

The bill was laid on the table.

Mr. Swift gave notice that on some future day he would ask leave to introduce

A bill to provide for regulating the size of packing barrels.

Mr. Dunlap offered the following:

*Resolved*, That the "Agricultural Land Grant Board" be requested to communicate to the House the amount of lands located for the benefit of the Agricultural College, in what counties selected, and whether any action has been, or is intended to be had, as now authorized by law, in order to render said lands available for the immediate support of said College;

Which was adopted.

Mr. Bonine gave notice that on some future day he would ask leave to introduce

A bill to authorize townships, villages and cities in Berrien county, and the county of Berrien to aid in the construction of a railroad from St. Joseph village, in said county, to the Indiana State line, in township 8 south, range 17 west.

Mr. Howard gave notice that on some future day he would ask leave to introduce

A bill to authorize the trustees of the First Methodist Episcopal Church of the township of Park, to convey real estate.

Mr. J. H. Jones gave notice that on some future day he would ask leave to introduce

A bill to amend section 6179, being section 22, of chapter 202, of compiled laws, relative to the compensation of the Inspectors of the State Prison.

Mr. Taylor moved to take from the table House manuscript bill, entitled

A bill to provide for the drainage and reclamation of swamp lands by lowering the bed of the south branch of Swan Creek, in the township of Richland, in the county of Saginaw;

Which motion prevailed.

On motion of Mr. Taylor,

The bill was ordered printed, referred to committee of the whole, and placed on the general order.

Mr. Warner, unanimous consent being given, and leave being granted, introduced

A bill to establish a board of public works in and for the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to incorporate the city of East Saginaw, approved February 15, 1859, as amended by act No. 56, of session laws of 1861, approved February 20, 1861, and act No. 79, of session laws of 1865, approved March 1st, 1865.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Barber, unanimous consent being given, and leave being granted, introduced

A bill to amend an act to incorporate the city of Coldwater, approved February 28, 1865.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to repeal section 47, of an act entitled "an act to provide for the incorporation of railroad companies," approved Feb. 12, 1855.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Swift, previous notice having been given, and leave being granted, introduced

A bill to authorize the township of Canton, in Wayne county, Michigan, to raise money by tax, to refund advances made to procure substitutes.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. C. O. Smith, previous notice having been given, and leave being granted, introduced

A bill to authorize townships and cities, in the counties of Wayne, Oakland, Washtenaw, Livingston and Ingham, to loan money, or pledge their credit, to aid in the construction of a railroad, on the most direct and feasible route from the city of Detroit, to the city of Lansing.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Holt, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to provide for laying out, establishing, and improving a road from Muskegon Lake to the north line of Mason county, and to appropriate swamp lands therefor.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Woodward, previous notice having been given, and leave being granted, introduced

A bill to legalize certain tax rolls in Jackson county, and to protect certain officers, and said townships, from suits by reason of the issue and collection of the same.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to provide for the reclamation of swamp lands, by means of a State road from the plank road between Midland and Bay City, north to the intersection of the Saginaw and Sauble State road, to be known as the Bangor and Maple Ridge State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to amend sections 1 and 2, of an act entitled an act to authorize the issuing of bonds for certain railroad lands in the Upper Peninsula, being act No. 117, of the session laws of 1865.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Kingsbury, previous notice having been given, and leave being granted, introduced

A bill to amend sections 5, 19, 20, 24 and 26, of chapter 57, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill rendering certain persons disqualified for sitting as jurors in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to authorize the First Baptist Church of Mason, in Ingham county, to mortgage their church property.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Hill gave notice that on some future day he would ask leave to introduce

A bill to authorize the township board of the township of Eagle Harbor, in the county of Keweenaw, to raise money by tax or otherwise, to aid in the improvement of Eagle Harbor, in said county.

On motion of Mr. Hopkins,

The House adjourned until Monday morning, at 10 o'clock.

*Lansing, Monday, February 11, 1867.*

The House met, pursuant to adjournment, and was called to order by the Clerk.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Crossman, Greenfield, McKernan, L. D. Osborn, R. B. Smith, Upton and the Speaker.

Mr. Bonine asked and obtained leave of absence for the Speaker, for an indefinite time, on account of sickness.

Mr. Stannard asked and obtained leave of absence for Mr. R. B. Smith, until to-morrow.

Mr. Bonine asked and obtained leave of absence for Mr. L. D. Osborn, until to-morrow.

Mr. Emerson asked and obtained leave of absence for Mr. McKernan, until to-morrow.

Mr. S. T. Parson offered the following:

*Resolved*, That the Hon. J. J. Woodman be and is hereby elected Speaker *pro tem.* of this House;

Which was adopted, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Healy,	Mr. Robinson,
Alexander,	Hill,	Rockwood,
Ball,	Hopkins,	Schars,
Barber,	Howard,	Sexton,
Beall,	Huckins,	Shepherd,
Benedict,	Jewell,	Shetterly,
Bonine,	J. H. Jones,	Slayton,
Brownell,	Kedsie,	O. O. Smith,
A. S. Brown,	Kingsbury,	L. Smith,
C. R. Brown,	Locke,	E. Spalding,
Canniff,	Lockwood,	P. S. Spaulding,
Camburn,	Lovell,	Spence,
Chauvin,	Mallet,	Stannard,
Corey,	Mead,	Stevens,
Deane,	Mickley,	Sweezey,
Dunlap,	Miles,	Swift,
Dusseau,	Murray,	Taylor,
Eck,	Newcombe,	Tompkins,
Emerson,	Newell,	Walker,
Emery,	W. H. Osborn,	Warner,
Fellows,	Packard,	Wells,

Fenton,  
Funston,  
Gallup,  
Glavin,  
Grier,  
Hawley,

Parker,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,  
Randall,

White,  
Wilcox,  
Willard,  
Wilson,  
Woodward,  
Wright, 81

NAYS. 0

Mr. Taylor moved that a committee of three be appointed to conduct the Speaker *pro tem.* to the chair;

Which motion prevailed.

The Clerk appointed Messrs. Taylor, Willard and Grier as such committee.

The committee performed the duty assigned them, and the Speaker *pro tem.*, on assuming the chair, returned thanks to the House for the honor conferred upon him.

The House was then opened with prayer by the Rev. E. J. Fish.

#### PRESENTATION OF PETITIONS.

By Mr. Mead: petition of John Dyar, Joseph Ayers, Robert Irwin, and 45 others, citizens of Romeo, Macomb county, praying that the Legislature will not grant the University any appropriation until she has complied with the law of the State, which provides that there shall always be at least one professor of Homeopathy in the department of medicine, or that if the Legislature shall grant the University the appropriation she asks for, it be made conditional to her filling, in good faith, the chair of Homeopathy in said University.

By Mr. Newell: petition of John Miller and 52 others, citizens of Port Huron, St. Clair county, for the same purpose.

By Mr. Schars: petition of T. W. Snook and 50 others, citizens of Mt. Clemens, Macomb county, for the same purpose;

Also, petition of L. Younghusband and 19 others, citizens of Macomb county, for the same purpose.

By Mr. Barber: petition of J. M. Long and 49 others, citizens of Branch county, for the same purpose.

By Mr. Randall: petition of A. B. Howard and 10 others, citizens of Calhoun county, for the same purpose;

Also, petition of Edward Butler and 65 others, citizens of Calhoun county, for the same purpose.

By Mr. Stannard: petition of Charles Smith and 43 others, citizens of Ionia county, for the same purpose;

Also, petition of D. G. Allen and 52 others, citizens of Ionia county, for the same purpose.

Referred to the committee on education.

By Mr. Spence: petition of Col. Wm. Phelps and 144 other business firms of the city of Detroit, praying for a law establishing a soldiers' home.

Referred to the committee on State affairs.

By Mr. Swezey: petition of John F. Emory, H. Wright, H. A. Stowell and 83 others, voters and tax-payers of the village of Middleville, Barry county, praying for a law to incorporate said village.

Referred to the committee on banks and incorporations.

By Mr. Swift: petition of J. J. Lapham and 94 others, residents of Wayne county, asking the passage of a law to regulate the size of dry barrels;

Also, petition of J. G. Welch and 85 others, citizens of Wayne county, for the same purpose.

Referred to the committee on State affairs.

By Mr. Mason: petition of J. R. Cumings and 45 others, citizens and tax-payers of Kalamazoo county, petitioning against any further appropriation in support of the Agricultural College.

Referred to the committee on education.

By Mr. Howard: petition of the trustees and others, of the first M. E. church of the township of Park, for authority to convey real estate.

Referred to the committee on religious and benevolent societies.

By Mr. Barber: memorial of D. A. Green, J. B. Crippen and 60 others, citizens and business men of the city of Coldwater, relative to the oppressive practices of that intolerable mo-

nopoly known as the Michigan Southern and Northern Indiana railroad.

Referred to the special committee on Michigan Southern railroad.

By Mr. Barber: memorial of W. S. Perry and sundry other citizens of the city of Coldwater, relative to a change in the present system of school inspectors.

Referred to the committee on education.

By Mr. Healy: petition of E. S. Ingalls and 29 others, citizens of Menominee county, praying for an extension of time for building a bridge across the Menominee river.

Referred to the committee on roads and bridges.

By Mr. Woodward: petition of S. H. Holmes and 54 others, citizens of the township of Liberty, Jackson county, praying for a law legalizing the vote of said township in aid of a railroad from Port Huron to Chicago.

Referred to the committee on internal improvements.

By Mr. Canniff: petition of William Waldron, H. L. Hall and 70 others, citizens of Hillsdale county, praying the passage of a law to make railroad companies responsible for losses of freight by fire.

Referred to the committee on the judiciary.

By Mr. Holt: petition of Elias W. Merrill and 40 others, citizens of Muskegon, against a law to incorporate the city of Muskegon.

Referred to the committee on banks and incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of R. B. Rollin and 65 others; also a petition of Lorenzo Lockhart and 49 others; also petition of James O. Whittemore and 14 others; also,

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches, from Tawas city, in the county of Iosco, westerly, to intersect with the Grand Traverse and Midland State road,



Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mickley,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petitions were laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of James O. Whittemore and 87 others; also of Henry C. Woodworth and 24 others; also of L. H. Pearl and 38 others; also of Geo. N. Fletcher and others; also of J. B. Tuttle, A. Hooper and 80 others; also,

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Alpena, in the county of Alpena, to Grand Traverse Bay, in the county of Grand Traverse,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kedzie,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

The petitions were laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the draining and reclamation of swamp lands by means of a State road, to be known as the Lapeer and Tuscola County State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend act number 335, of the session laws of 1865, being an act to provide for the drainage and reclamation of swamp lands, by means of the improvement of the Lamont and Zealand State road, in Ottawa county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the bill do not pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. S. Brown,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands to whom was referred the petition of Geo. A. Foot, T. A. Nichols and 178 others;

Also,

A bill to provide for the drainage and reclamation of swamp

lands by means of a State road and ditches, from Isabella city, in the county of Isabella, northerly, to intersect with the Ionia, Houghton Lake and Mackinac State road,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. L. Smith,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the construction of a State road from Stanton, in Montcalm county, to St. Charles, in Saginaw county;

Also, the petition of E. T. Cogswell and 14 others; also, of J. T. Symes and 11 others; also, of John F. Rust and 14 others; also, of R. S. Thomas and 50 others; also, of B. F. Price and 6 others; also, H. H. Smith and 32 others; also, of A. Stewart and 49 others; also, of Wm. Miller and 50 others; also, of W. H. Comstock and 25 others; also, of W. E. Winton and 48 others; also, W. W. Eddy and 41 others; also, of J. P. Hunt and 6 others; also, of H. A. Jeyner and 67 others; also, of A. Picket and 32 others; also, of W. Hall and 109 others,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to rebuild a bridge across Black River, on the Lexington and Lapeer State road, and making an appropriation of swamp lands for the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the bill do not pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Jewell,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for laying out and establishing a State road from Stephens' Landing, in Sanilac county, to Burnside, in Lapeer county, and for an appropriation of swamp lands to aid in the construction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the bill do not pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Beall,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend section 8, of act No. 836, of the session laws of 1865, the same being an act to provide for the drainage and reclamation of swamp lands, at the headwaters of

Rogue river, in the counties of Kent and Newaygo, by means of ditches and draining the channel of said river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Randall,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the public lands:

The committee on public lands, to whom was referred

A bill to amend section three, of an act entitled an act to provide for laying out and establishing a State road to be known as the Ingham and Clinton State road, and appropriating certain swamp lands for the construction of the same, approved March 20, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands to whom was referred

A bill to amend an act entitled "an act to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, from Nunica, in Ottawa county, to

Muskegon, in Muskegon county, to be known as the Nunica and Muskegon State road,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the bill do not pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hopkins,

The bill was laid on the table.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking for a grant of land for a railroad from the iron mining regions of the Upper Peninsula to Munising and the Straits of Mackinac,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that it do pass, and ask to be discharged from the further consideration of the subject.

C. E. MICKLEY, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize judgments to be taken in vacation in suits pending in courts of record in certain cases;

Also,

A bill to allow defendants in actions in courts of record, to make an offer of judgment in certain cases;

Also,

A bill to amend section 28, of an act entitled an act to provide for assessing property at its true cash value, and for levying and collecting taxes thereon, approved Feb. 14, 1853, being section 899 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. O. WALKER, *Chairman.*

Report accepted and committee discharged.

The several bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to vest title in the United States of America, in trust, of lands granted to the State of Michigan, for railroad purposes and for other purposes,

Respectfully report that the object of said bill is to revest the title to the railroad lands in this State, in the United States, in trust, so far as to give jurisdiction to the United States courts of this State, in actions of trespass for timber stolen and plundered from said lands. That it was proposed that a similar law, accepting said trust, should be enacted by Congress.

Your Committee believe that said bill was proposed under a misapprehension of the State, of the title to said railroad lands. That this State, by the acts of 1857 and subsequent legislation, has already transferred the rights derived by her from the United States, to the several land-grant railroads of this State, subject to their reversion to her, if said railroad companies shall fail to fulfill the conditions of said grants. Wherefore, your committee do not think that the object contemplated by the bill, will be accomplished thereby.

Your committee would further state that it would be a disgrace to the legislative and executive authorities of the State, if remedies cannot be devised under our own laws and legislation, to prevent and punish the trespasses now so prevalent, upon the railroad and other public lands of this State. That one bill is now pending before the House and another will be

soon presented, upon this subject, which your committee would commend to the serious attention of the House.

Your committee further state that they have received from one of our Honorable Senators in Congress, a communication expressing an opinion that the general government would not accept the trust contemplated by the act.

Wherefore, your committee report said bill back to the House, with the recommendation that it do not pass.

E. C. WALKER, *Chairman*

Report accepted and committee discharged.

On motion of Mr. Newcombe,

The bill was laid on the table,

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the resolution of Mr. Mickley, of Lenawee, whereby this committee were instructed to report by bill or otherwise, on the expediency of a change of law by which the exclusion of all persons who have formed an opinion in any case to be tried in court, shall cease, and all persons with the requisite qualifications of character and disinterested position, shall be competent to serve as jurors,

Respectfully report that they have had the subject matter of the resolution under advisement, and have given it a careful consideration.

That among Anglo-Saxons the trial of persons accused of crimes against law, or of offenses against the State, by a jury of their fellow-citizens, unprejudiced and impartial, has long been considered one of the strongest bulwarks against oppression, and has often in the history of England, as well as in our own land, stood as the sole defense against the tyranny of evil men elevated to power, or of a worse despotism still—the tyranny of a perverted public opinion. Your committee believe that the legislative power should hesitate long and consider well before taking away a single defense which the law has thrown about the individual. The evil to which the resolution would direct the attention of the committee, arises from the increas-



ing spread of general intelligence in the community, through the enlarged diffusion of the daily press, and the new-found click of the magnetic telegraph, by which the facts and details of crime are so spread abroad in the community, that any person of medium intelligence and habits of reading, becomes aware of some of the facts in all great criminal cases, and forms a cursory opinion of the guilt or innocence of the accused. An impression prevails that this cursory and partial opinion entirely disqualifies a person entertaining it, from sitting as a juror, and that the difficulties in this respect are daily increasing with the spread of newspapers and intelligence, until now no jurors can be obtained in an important case, except those whose very ignorance of passing events, indicates their intellectual unfitness for jurors.

Your committee believe that this is a mistaken impression, and that it arises mostly from reports of cases and trials in distant States where a more rigorous rule prevails than in our own, and wherein we read of weeks being consumed in calling a jury. This, your committee believe, seldom has happened in this State, and in most of the *causas celebres* in this State, not only have jurors been easily obtained, but those composed of men of culture and intelligence. In the celebrated case of the "railroad conspirators," notwithstanding the publicity of the crime and the charge, a jury was empaneled of the very best citizens of Detroit, in general standing and intelligence.

Your committee believe that there is abroad a mistaken notion of the existing state of the law on this subject. As long ago as the trial of Aaron Burr, Chief Justice Marshall, whose *dicta* are almost law to the American bar, held that "those light impressions which may fairly be supposed to yield to the testimony that may be offered," are no grounds for excluding a juror.

But this matter has lately (in 1865) been decided by our own Supreme Court, in the case of the People vs. Holt, 13th Mich., p. 224. Holt was convicted of the murder of one Smith in a bagnio in Detroit. In empanneling the jury, a Mr. Eberts

stated as follows: "I have formed a partial opinion of the guilt or innocence of the defendant from rumors heard in the street, but not a positive opinion." The Circuit Court overruled the challenge to the juror, and a writ of error was taken after conviction, to the Supreme Court on this point, and the ruling of the Court below sustained. The unanimous opinion of the Court (Martin J. absent) was given by Judge Cooley, who says:

"It is clear that the defendant has failed to show that the opinion formed was of that fixed and definite character which would leave such a bias upon the mind as to preclude his giving due weight to the presumption of innocence, with which the law surrounds the accused. The mere statement of a juror that he has formed an opinion, is not sufficient to disqualify him."

In view of these facts and reasons, and of the state of the law as expounded by the Supreme Court, this committee recommend that no legislation is needed on the subject matter of the petition.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to provide for the incorporation of slackwater navigation companies, and defining their powers and duties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM WARNER, *for Committee.*

Report accepted and committee discharged.

On motion of Mr. Mead,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the State Prison:

The committee on the State Prison, to whom was referred that part of the Governor's message relating to the State Prison,

Respectfully report that they have had the same under consideration, and have directed me to report to the House the accompanying bill, entitled

A bill to amend section 6179, being section 22, of chapter 202, of compiled laws, relative to the compensation of Inspectors of State Prison.

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

J. H. JONES, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker *pro tem.* announced the following:

SECRETARY'S OFFICE, }  
Lansing, Feb. 11, 1867. }

HON. P. D. WARNER, *Speaker of the House of Representatives:*

SIR—In compliance with a resolution of the House, adopted on the 8th inst., I have the honor herewith to transmit a list of all insurance companies organized under the laws of this State, together with a synopsis of their annual reports for 1866, as returned to this Department.

Very respectfully,

GEO. H. HOUSE,  
*Deputy Secretary of State.*

The following is the list:

The communication was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,  
Lansing, February 9, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 67, entitled

A bill to provide for the preservation of the Muskegon river improvement, and for other purposes;

2. Senate bill No. 77, entitled

A bill to amend section 9, of chapter 98, of the revised statutes of 1846, being section 2999 of the compiled laws, relative to the distribution and partition of estates;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,  
*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on lumber interests.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, February 9, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution asking the General Government for an appropriation in money for the construction of a breakwater and lighthouse in the harbor of Port Austin,

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as returned to the Office of the Secretary of State.

Incorporated.		PREMIUMS.			PAYMENTS.		LIABILITIES.		
		Other Assets.	Cash Premiums Received.		Losses Paid.	Expenses Paid.	For Losses Due.	Claims not Due.	Claims Resisted.
1864	Michigan State								
1865	National Life								
1866	Detroit Fire and Marine	499	\$816	\$49,109	\$6,807	\$7,012			
			62,214	11,880	16,900		\$2,900		

Incorporated.		ASSESSMENTS.			PAYMENTS.		LIABILITIES.		
		Amount Paid In.	Am't collected prior to past year.	Gross Am't Outstanding.	Losses Paid.	Expenses Paid.	For Losses Due.	Claims not Due.	Claims Resisted.
1869	German Farmer	3,430	\$12		\$4,276	\$1,098			
1869	Washtenaw Mutual	2,004	8,000	\$432	2,728	479			\$472
1869	Farmers Mutual		1,428			163			
1861	Shiawassee County		1,632	126	1,731	722	\$200	\$630	
1862	Farmers Mutual		820	237	22,053	828			
1862	"	1,986	9,096	1,177	1,976	966		1,177	
1862	"	2,416			3,809	753			
1863	"	1,765							
1863	"		1,147						
1863	"	2,000	2,700	300	1,687	354	300	15	300
1863	"		3,202		2,091	395	110		
1863	"	598	1,019	427	673	74	43	290	700
1863	"		3,808	860		399	860		
1863	"								
1863	"		3,985	160			160		
1863	"	437	1,988	20	537	50	50		
1863	"	2,600	893	200	1,278	342			250
1863	"		2,948	1,780	2,786		760	235	
1863	Michigan Home	1,088	1,209	600	1,463	175	600		
1863	Livingston County		1,386		194	26	194		
1863	Three Rivers Farm		105	299	119	19			
1866	Farmers Mutual Fire				968	702	1,200		360
1863	Saint Joseph County	3,517			2,934	1,165			
1863	State		5,068	5,428	b	495	4,472		
1864	Michigan Central	5,500			5,157	343			
1864	Climax Mutual	2,752		4,286	12,447	c			1,565
1865	Fire, of Macomb, La				18,214	11,433	2,000	1,500	8,000
1865	Merchants and Farmers	7,210	7,641	d	38,474	17,173	55,000	5,000	12,000
1865	State Fire								
1866	Peoples Mutual Fire					839		4,350	
1866	Etna Live Stock				673	673		798	585
1866	Peninsular Mutual L					2,203			
1867	Peninsular Fire				428	888		100	

a Not reported. b Office

The communication was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,  
Lansing, February 9, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 67, entitled

A bill to provide for the preservation of the Muskegon river improvement, and for other purposes;

2. Senate bill No. 77, entitled

A bill to amend section 9, of chapter 98, of the revised statutes of 1846, being section 2999 of the compiled laws, relative to the distribution and partition of estates;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on lumber interests.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, February 9, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution asking the General Government for an appropriation in money for the construction of a breakwater and lighthouse in the harbor of Port Austin,

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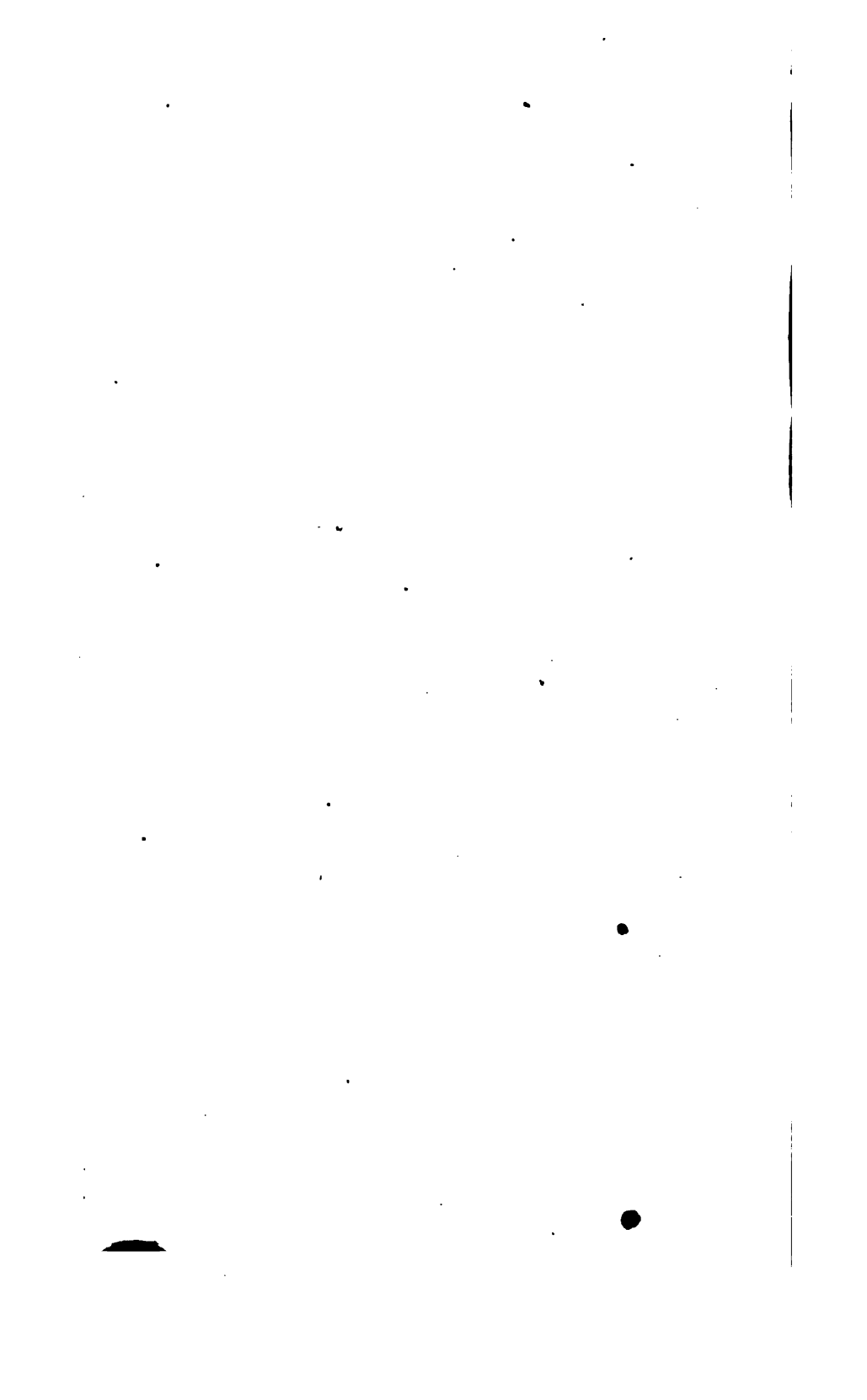
as returned to the Office of the Secretary of State.

Incorporated.		PREMIUMS.			PAYMENTS.		LIABILITIES.		
		Other Assets.	Cash Premiums Received.		Losses Paid.	Expenses Paid.	For Losses Due.	Claims not Due.	Claims Resisted.
1864	Michigan State								
1865	National Life								
1866	Detroit Fire and								
		\$316	\$49,109		\$6,907	\$7,012			
			62,214		11,380	16,900		\$2,900	

Incorporated.		ASSESSMENTS.			PAYMENTS.		LIABILITIES.		
		Amount Paid In.	Am't collected prior to past year.	Gross Am't Outstanding.	Losses Paid.	Expenses Paid.	For Losses Due.	Claims not Due.	Claims Resisted.
1859	German Farmer								
1860	Washtenaw Mut								
1860	Farmers Mutual								
1861	Shiawassee Coun	\$3,420	\$12		\$4,276	\$1,098			
1862	Farmers Mutual	2,004	8,000	\$432	2,728	479			\$432
1862	"		1,423			163			
1862	"	1,988	1,832	126	1,731	722	\$200	\$630	
1862	"	2,416	920	237	22,053	826			
1863	"	1,766	9,096	1,177	1,976	946		1,177	
1863	"				3,309	753			
1863	"		1,147						
1863	"	2,000	2,700	300	1,687	354	300	16	300
1863	"		3,202		2,091	395	110		
1863	"	608	1,019	427	573	74	43	290	700
1863	"		3,808	860		369	860		
1863	"		3,986	160			160		
1863	"	487	1,938	20	537	60	50		
1863	"	2,600	893	200	1,276	342			250
1863	"		2,948	1,780	2,785		780	238	
1863	"	1,088	1,209	600	1,463	175	600		
1863	Michigan Home,		1,886		194	26	194		
1863	Livingston County		105	299	119	19			
1863	Three Rivers Farm				968	702	1,200		360
1863	Farmers Mutual Fir	3,517			2,934	1,165			
1863	Saint Joseph Count					54			
1863	State,		5,668	5,423	b	496	4,472		
1864	Michigan Central,	5,500			5,187	343			
1864	Climax Mutual,	2,752		4,286	12,447	c			1,585
1865	Fire, of Macomb, La		d		18,214	11,423	2,000	1,500	8,000
1865	Merchants and Farm	7,210	f		38,474	17,173	55,000	5,000	12,000
1865	State Fire,								
1866	Peoples Mutual Fire,					839		4,850	
1866	Etina Live Stock,				673	673		798	586
1866	Peninsular Mutual L					2,203			
1867	Peninsular Fire,				428	888		100	

a Not reported. b Om





In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. L. Smith offered the following:

*Resolved*, That during the remainder of the first fifty days of this session, the rule requiring previous notice of bills and joint resolutions be suspended: *Provided*, That members, when introducing the same, shall read the titles of said bills and joint resolutions, when introduced by them;

Which was adopted.

Mr. Jewell offered the following:

*Resolved*, That the use of this Hall be granted this evening, for the purpose of listening to an address by Professor C. J. Hempel, of Grand Rapids, to be delivered before the members of the Legislature;

Which was not adopted.

Mr. Miles gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 235, session laws of 1863, entitled "an act to amend chapter 150, of the revised statutes of 1846, being chapter 175 of the compiled laws, entitled 'of the fees of certain officers in civil cases.'"

Mr. Locke gave notice that on some future day he would ask leave to introduce

A bill asking a grant of swamp lands to the county of Shiawassee, to aid in cutting drains through the Whortleberry swamp, in the township of Rush, in said county.

Mr. Wilson moved to discharge the committee of the whole from the further consideration of House bill No. 27, entitled

A bill to repeal section 28, of the act to authorize the business of banking, approved February 16, 1857;

On motion of Mr. Mead,

The resolution was laid on the table.

Mr. A. S. Brown gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Columbia, in the county of Van Buren, to vote a tax to pay sums of money pledged to volunteers to aid in the suppression of the rebellion.

Mr. Willard moved to discharge the committee of the whole from the further consideration of Senate bill No. 54, entitled

A bill to amend sections 12, 22, 28, 31, 41, 53, 55, 98, 107, 109, 137 and 140, of chapter fifty-eight, of the revised statutes of eighteen hundred and forty-six, being sections 2255, 2365, 2271, 2274, 2284, 2298, 2962, 2322, 2341, 2350, 2352, 2378, 2331, of the compiled laws, and section 14, of an act entitled "an act for the relief of school districts," approved Feb. 7, 1855, being section 2412 of the compiled laws;

Which motion prevailed.

On motion of Mr. Willard,

The bill was made the special order for Wednesday next, at 2 o'clock P. M.

Mr. Swezey, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Middleville, in the county of Barry.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations:

Mr. Swift, previous notice having been given, and leave being granted, introduced

A bill to regulate and define the size and capacity of barrels for storage.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the corporate authorities of the city of Ann Arbor, in issuing bonds or certificates of indebted-

ness, to aid in the repair and improvement of the Observatory building, in said city, and to provide for the payment thereof.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to provide for the settlement and drainage of the swamp lands by actual settlers, and to repeal certain other acts therein named.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Newcombe, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 50, of the session laws of 1864.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Alexander, previous notice having been given, and leave being granted, introduced

A bill to legalize the action of the township of Riley, in Clinton county, in raising bounties for volunteers, and to authorize them to refund money advanced to volunteers.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. Bonine, previous notice having been given, and leave being granted, introduced

A bill to authorize the several townships and cities, in the counties of Berrien and Cass, to pledge their credit to aid in the construction of a railroad from the village of St. Joseph, in the county of Berrien, to some point on the Indiana State line, in township eight south, of range 17 west, in said Berrien county, or in township eight south, of range 16 west, in said county of Cass.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Howard, previous notice having been given, and leave being granted, introduced

A bill to authorize the trustees of the first Methodist Episcopal church, of the township of Park, in the county of St. Joseph, to convey real estate.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. C. R. Brown, previous notice having been given, and leave being granted, introduced

A bill to authorize the several townships in the county of Berrien, to pledge their credit and raise by tax, or borrow money, to aid in the construction of a railroad from the village of St. Joseph, in the county of Berrien, to some point on the Indiana State line, west of township eight south, of range nineteen west, in said county of Berrien.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Warner, unanimous consent being given, introduced

A bill to amend section one, of an act entitled an act to provide for the incorporation of railroad companies, approved February 12th, 1855.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Grier, previous notice having been given, and leave being granted, introduced

A bill to amend act number 16, of the session laws of 1864, being an act entitled "an act to authorize the formation of corporations for the running, booming and rafting of logs, by adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mead, previous notice having been given, and leave being granted, introduced

A bill in relation to suits commenced by attachments.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Grier, previous notice having been given, and leave eing granted, introduced

A bill to organize union school district of Bay City.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Pearl, previous notice having been given, and leave being granted, introduced

A bill to change the name of the village of Greenbush, in the county of Clinton, to Eureka.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Emery, unanimous consent being given, introduced

A bill to provide for laying out and establishing a swamp land State road in the county of Lapeer.

The bill was read a first and second time by its title, and referred to the committee on public lands.

On motion of Mr. Walker,

The vote by which the use of the Hall was refused to Mr. Hempel, was reconsidered.

The question being upon the adoption of the resolution,

Mr. Grier demanded the yeas and nays.

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Hawley,	Mr. Pearl,
Alexander,	Healy,	Randall,
Ball,	Hill,	Robinson,
Barber,	Holt,	Rockwood,
Beall,	Hopkins,	Sohara,
Benedict,	Howard,	Sexton,
Bonine,	Huckins,	Shepherd,
Brownell,	Jewell,	Slayton,
A. S. Brown,	J. H. Jones,	L. Smith,
O. R. Brown,	Kingsbury,	P. S. Spaulding,
Canniff,	Locke,	Stannard,
Camburn,	Lockwood,	Stevens,
Chauvin,	Lovell,	Sweezy,
Corey,	Mallet,	Swift,
Deane,	Mason,	Taylor,
Dunlap,	Mickley,	Tompkins,
Dusseau,	Miles,	Walker,
Eck,	Murray,	Wells,

Emery,  
Fenton,  
Funston,  
Gallup,  
Glavin,  
Greenfield,  
Grier,

Newcombe,  
Newell,  
W. H. Osborn,  
Packard,  
Parker  
F. Parsons,  
Parmelee,

White,  
Wilcox,  
Willard,  
Woodward,  
Wright,  
Speaker *pro tem.*,  
74

## NAYS.

Mr. Emerson,  
Fellows,  
Kedzie,

Mr. Mead,  
S. T. Parsons,  
Shetterly,

Mr. C. O. Smith,  
E. Spalding,  
Spence, 9

Mr. Hawley moved that Mr. Randall be excused from voting;  
Which motion did not prevail.

Mr. Randall then voted as recorded above.

## THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 77, entitled

A bill further to amend an act entitled an act to provide for  
the construction of train railways,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,  
Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Bonine,  
A. S. Brown,  
O. R. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Emerson,  
Emery,  
Fellows,  
Fenton,

Mr. Holt,  
Hopkins,  
Howard,  
Huckins,  
Jewell,  
J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Mallet,  
Mason,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
W. H. Osborn,  
Packard,

Mr. Rockwood,  
Schars,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. O. Smith,  
L. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Sweezey,  
Swift,  
Taylor,  
Tompkins,  
Walker,  
Warner,  
Wells,  
White,

Funston,	Parker,	Wilcox,
Gallup,	F. Parsons,	Willard,
Glavin,	S. T. Parsons,	Wilson,
Greenfield,	Parmelee,	Woodward,
Grier,	Pearl,	Wright,
Healy,	Randall,	Speaker <i>pro tem.</i> ,
Hill,	Robinson,	88
	NAYS.	0

Title agreed to.

On motion of Mr. Warner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 79, entitled

A bill to authorize school district No. 3, of the township of Victor, in the county of Clinton, to borrow money, and to issue bonds therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Robinson,
Alexander,	Howard,	Rockwood,
Bail,	Huckins,	Schars,
Barber,	Jewell,	Shepherd,
Beall,	J. H. Jones,	Shetterly,
Benedict,	Kedzie,	Slayton,
Bonine,	Kingsbury,	O. C. Smith,
A. S. Brown,	Locke,	E. Spalding,
O. R. Brown,	Lockwood,	P. S. Spaulding,
Canniff,	Lovell,	Spence,
Camburn,	Mallet,	Stannard,
Chauvin,	Mason,	Stevens,
Corey,	Mead,	Sweezy,
Deane,	Mickley,	Swift,
Dusseau,	Miles,	Taylor,
Eck,	Murray,	Tompkins,
Emerson,	Newcombe,	Walker,
Emery,	Newell,	Warner,
Fenton,	W. H. Osborn,	Wells,
Funston,	Packard,	White,
Glavin,	Parker,	Wilcox,
Grier,	F. Parsons,	Willard,
Hawley,	S. T. Parsons,	Wilson,

Healy,  
Hill,  
Holt,

Parmelee,  
Pearl,  
Randall,

Woodward,  
Wright,  
Speaker *pro tem*,

78

NAYS.

0

Title agreed to.

On motion of Mr. Pearl,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 78, entitled

A bill to authorize graded school district No. 1, of the township of Forest, in the county of Genesee, to issue bonds for the purpose therein mentioned,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitken,  
Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Bonine,  
A. S. Brown,  
C. R. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Deane,  
Dusseau,  
Eck,  
Emerson,  
Emery,  
Fellows,  
Fenton,  
Funston,  
Glavin,  
Greenfield,  
Hawley,  
Healy,  
Hill,

Mr. Holt,  
Howard,  
Huckins,  
Jewell,  
J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Maller,  
Mason,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
W. H. Osborn,  
Packard,  
Parker,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,  
Robinson,

Mr. Rockwood,  
Schars,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,  
Stannard,  
Stevens,  
Swezey,  
Swift,  
Taylor,  
Tompkins,  
Walker,  
Warner,  
Wells,  
White,  
Wilcox,  
Willard,  
Wilson,  
Woodward,  
Wright,  
Speaker, *pro tem*.

78



## NAYS.

0

Title agreed to.

On motion of Mr. Rockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 69, entitled

A bill to add a new section to chapter 180, of the compiled laws, in regard to evidence in certain criminal cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Robinson,
Alexander,	Hopkins,	Schars,
Ball,	Howard,	Shepherd,
Barber,	Huckins,	Shetterly,
Benedict,	Jewell,	Slayton,
Bonine,	J. H. Jones,	C. C. Smith,
A. S. Brown,	Kedzie,	L. Smith,
C. R. Brown,	Kingsbury,	E. Spalding,
Canniff,	Locke,	P. S. Spalding,
Camburn,	Lockwood,	Spence,
Chauvin,	Lovell,	Stannard,
Corey,	Mallet,	Stevens,
Deano,	Mason,	Sweezey,
Dunlap,	Mead,	Swift,
Deasseau,	Mickley,	Taylor,
Eck,	Miles,	Tompkins,
Emerson,	Murray,	Walker,
Emery,	Newcombe,	Warner,
Fellows,	Newell,	Wells,
Fenton,	W. H. Osborn,	White,
Funston,	Packard,	Wilcox,
Glavin,	Parker,	Willard,
Greenfield,	F. Parsons,	Wilson,
Grier,	S. T. Parsons,	Woodward,
Healy,	Parmelee,	Wright,
Hill,	Randall,	Speaker <i>pro tem.</i> ,

78

## NAYS.

0

Title agreed to.

House bill No. 76, entitled,

A bill to amend act No. 135, of the session laws of 1861,

approved March 12th, 1861, in regard to a register of probate for Wayne county, being under consideration,

On motion of Mr. Walker,

The bill was laid on the table.

House bill No. 87, entitled

A bill to amend section 6, of chapter 24, the same being section 1103 of the compiled laws, relative to the repairs and reconstruction of bridges,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Robinson,
Alexander,	Hopkins,	Rockwood,
Ball,	Howard,	Schairs,
Barber,	Huckins,	Sexton,
Beall,	Jewell,	Shepherd,
Benedict,	J. H. Jones,	Shetterly,
Bonine,	Kedzie,	Slayton,
A. S. Brown,	Kingsbury,	C. C. Smith,
C. R. Brown,	Locke,	L. Smith,
Canniff,	Lockwood,	E. Spalding,
Camburn,	Lovell,	P. S. Spaulding,
Chauvin,	Mallet,	Spence,
Corey,	Mason,	Stannard,
Deane,	Mead,	Stevens,
Dunlap,	Mickley,	Sweezey,
Dusseau,	Miles,	Swift,
Eck,	Murray,	Taylor,
Emerson,	Newcombe,	Walker,
Emery,	Newell,	Warner,
Fellows,	W. H. Osborn,	Wells,
Fenton,	Packard,	White,
Funston,	Parker,	Wilcox,
Glavin,	F. Parsons,	Wilson,
Greenfield,	S. T. Parsons,	Woodward,
Grier,	Parmelee,	Wright,
Healy,	Pearl,	Speaker <i>pro tem</i> ,
Hill,		

79

NAYS.

Mr. Tompkins.

Title agreed to.

Mr. Dussean moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

Mr. S. T. Parsons gave notice that on to-morrow he should move to reconsider the vote by which the bill was passed.

Senate bill No. 19, entitled

A bill to amend sections 4 and 5, of chapter 193, being sections five thousand nine hundred and sixty-two (5962,) and five thousand nine hundred and sixty-three, (5963,) of the compiled laws, relative to proceedings to prevent crime,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Schar,
Alexander,	Howard,	Sexton,
Ball,	Huckins,	Shepherd,
Barber,	Jewell,	Shetterly,
Beall,	J. H. Jones,	Slayton,
Benedict,	Kedzie,	C. C. Smith,
Bonine,	Kingsbury,	L. Smith,
A. S. Brown,	Locke,	E. Spalding,
O. R. Brown,	Lockwood,	P. S. Spaulding,
Canniff,	Lovell,	Spence,
Camburn,	Mallet,	Stevens,
Chauvin,	Mason,	Sweezey,
Corey,	Mead,	Swift,
Deane,	Mickley,	Taylor,
Dussean,	Murray,	Tompkins,
Eck,	Newcombe,	Walker,
Emerson,	Newell,	Warner,
Fellows,	W. H. Osborn,	Wells,
Fenton,	Packard,	White.
Funston,	Parker,	Wilcox,
Glavin,	F. Parsons,	Willard,
Greenfield,	S. T. Parsons,	Wilson,
Grier,	Parmelee,	Woodward,
Healy,	Robinson,	Wright,
Hill,	Rockwood,	Speaker <i>pro tem.</i> ,
Holt,		76

#### NAYS.

Mr. Gallup,	Mr. Pearl,	Mr. Stannard,
Miles,		

Title agreed to.

On motion of Mr. S. T. Parsons,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 74, entitled

A bill to prevent fishing with seines and every kind of continuous nets, in the waters of the county of Branch,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Newell asked and obtained the unanimous consent of the House, to amend the bill by inserting the words "Kent and Ionia," after the word "St. Joseph," in line 4, of section 1.

Mr. Howard asked the unanimous consent of the House to amend the bill by striking out the word "small," in line 3 of section 1.

Objected to by Mr. Bonine.

Mr. Holt moved to lay the bill upon the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Howard,	Mr. Sexton,
Alexander,	Huckins,	Shepherd,
Ball,	Jewell,	Shetterly,
Barber,	J. H. Jones,	Slayton,
Beall,	Kedzie,	C. C. Smith,
Benedict,	Kingsbury,	L. Smith,
Bonine,	Locke,	E. Spalding,
Brownell,	Lockwood,	P. S. Spaulding,
A. S. Brown,	Lovell,	Spence,
O. R. Brown,	Mallet,	Stannard,
Canniff,	Mason,	Stevens,
Camburn,	Mead,	Swezey,
Chauvin,	Mickley,	Swift,
Corey,	Miles,	Taylor,
Deane,	Murray,	Tompkins,
Dunlap,	Newcombe,	Walker,
Eck,	Newell,	Warner,
Fellows,	W. H. Osborn,	Wells,
Funston,	Packard,	White,

Gallup,  
Glavin,  
Greenfield,  
Grier,  
Healy,  
Hill,  
Hopkins,

F. Parsons,  
Parmelee,  
Pearl,  
Randall,  
Robinson,  
Rockwood,  
Schars,

Wilcox,  
Willard,  
Wilson,  
Woodward,  
Wright,  
Speaker *pro tem.*,  
77

## NAYS.

Mr. Dussean,  
Emerson,  
Emery,

Mr. Fenton,  
Holt,

Mr. Parker,  
S. T. Parsons,

On motion of Mr. Barber,

The title was amended so as to read as follows:

A bill to prevent fishing with seines, and every kind of continuous nets, in the waters of the counties of Branch, Livingston, Berrien, Cass, St. Joseph, Kent and Ionia.

The title, as amended, was then agreed to.

Mr. Beall moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

House bill No. 80, entitled

A bill to amend section 3 and section 13, of act No. 218, of the session laws of 1861, relative to actions for forcible or unlawful entry and detainer,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Grier asked and obtained the unanimous consent of the House, to amend the bill, by inserting in line 3, of section 3, after the word "record," where it occurs the second time, the words "except a probate judge."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,  
Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,

Mr. Hill,  
Holt,  
Hopkins,  
Howard,  
Huckins,  
Jewell,

Mr. Rockwood,  
Schars,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,

Bonine,	J. H. Jones,	O. C. Smith,
Brownell,	Kedzie,	L. Smith,
A. S. Brown,	Kingsbury,	E. Spalding,
• O. R. Brown,	Locke,	P. S. Spaulding,
• Canniff,	Lockwood,	Spence,
• Camburn,	Lovell,	Stannard,
Chauvin,	Mallet,	Stevens,
Corey,	Mason,	Sweezy,
Deane,	Mead,	Swift,
Dunlap,	Mickley,	Taylor,
Dusseau,	Miles,	Tompkins,
• Eck,	Murray,	Walker,
Emerson,	Newcombe,	Warner,
Emery,	Newell,	Wells,
Fellows,	W. H. Osborn,	White,
Fenton,	Packard,	Wilcox,
Funston,	Parker,	Willard,
Gallup,	F. Parsons,	Wilson,
Glavin,	S. T. Parsons,	Woodward,
Greenfield,	Parmelee,	Wright,
Grier,	Pearl,	Speaker <i>pro tem.</i>
Healy,	Robinson,	83
	NAYS.	0

Title agreed to.

Mr. White moved to reconsider the vote by which the House ordered Senate bill No. 19, entitled

A bill to amend sections four and five, of chapter one hundred and ninety-three, being sections five thousand nine hundred and sixty-two (5962) and five thousand nine hundred and sixty-three, (5963,) of the compiled laws, relative to proceedings to prevent crime,

To take immediate effect;

Which motion prevailed.

The question being upon ordering the bill to take immediate effect;

The motion did not prevail.

Mr. S. T. Parsons moved that the bill be ordered to take effect in sixty days, from and after its passage;

Which motion did not prevail.

On motion of Mr. Barber,

The House, took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.  
*pro tem.*

Roll called: quorum present.

## SPECIAL ORDER OF THE DAY.

On motion of Mr. Kedzie,

The House went into committee of the whole, on the special order,

Mr. Slayton in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 67, entitled

A bill to provide for the appointment of emigrant agents by the several counties, and to provide for their compensation by bounties upon actual settlers in such counties;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

T. J. SLAYTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warner,

The House concurred in the action of the committee in striking out all after the enacting clause.

On motion of Mr. Kedzie,

The enacting clause was laid on the table.

The House then resumed business under the order of

## THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 83, entitled

A bill to incorporate the village of Greenville,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Camburn asked and obtained the unanimous consent of

the House, to amend the bill by striking out the word "Green-ville," in line 8, of section 20, and inserting the word "Eureka," in lieu thereof.

The bill was then passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Schar,
Alexander,	Howard,	Sexton,
Ball,	Huckins,	Shepherd,
Barber,	Jewell,	Shetterly,
Beall,	J. H. Jones,	Slayton,
Benedict,	Kedzie,	C. C. Smith,
Bonino,	Kingsbury,	L. Smith,
A. S. Brown,	Locke,	R. B. Smith,
Canniff,	Lockwood,	E. Spalding,
Camburn,	Lovell,	P. S. Spaulding,
Chauvin,	Mallet,	Stannard,
Corey,	Mason,	Stevens,
Deane,	Mead,	Sweezy,
Dunlap,	Mickley,	Swift,
Dusseau,	Miles,	Tompkins,
Eck,	Murray,	Walker,
Emery,	Newcombe,	Warner,
Fellows,	Newell,	Wells,
Fenton,	W. H. Osborn,	White,
Gallup,	Packard,	Wilcox,
Glaavin,	F. Parsons,	Willard,
Greenfield,	S. T. Parsons,	Wilson,
Grier,	Parmelee,	Woodward,
Healy,	Pearl,	Wright,
Hill,	Robinson,	Speaker <i>pro tem.</i>
Holt,	Rockwood,	71

## NAYS.

Mr. Pearl moved that Mr. Alexander be excused from voting;  
Which motion did not prevail.

Mr. Alexander then voted as recorded above.

The title was then agreed to.

On motion of Mr. Camburn,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate manuscript bill, entitled



A bill to repeal an act entitled an act to incorporate the Monroe and Erie Plank road company, approved April 3, 1848, and the act amendatory thereof, approved February 16, 1849,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Schars,
Alexander,	Howard,	Sexton,
Ball,	Huckins,	Shepherd,
Barber,	Jewell,	Shetterly,
Benedict,	J. H. Jones,	Slayton,
Bonine,	Kedzie,	C. C. Smith,
A. S. Brown,	Kingsbury,	L. Smith,
Canniff,	Locke,	R. B. Smith,
Camburn,	Lockwood,	E. Spalding,
Chauvin,	Lovell,	P. S. Spaulding,
Deane,	Mallet,	Stannard,
Dunlap,	Mason,	Stevens,
Dusseau,	Mead,	Sweezey,
Eck,	Miles,	Taylor,
Emery,	Murray,	Tompkins,
Fellows,	Newcombe,	Walker,
Fenton,	Newell,	Wells,
Gallup,	W. H. Osborn,	White,
Glavin,	Packard,	Wilcox,
Greenfield,	F. Parsons,	Willard,
Grier,	S. T. Parsons,	Wilson,
Hawley,	Parmelee,	Woodward,
Healy,	Randall,	Wright,
Hill,	Robinson,	Speaker <i>pro tem.</i> ,
Holt,	Rockwood,	74

## NAYS.

Mr. Beall,	Mr. Corey,	Mr. Warner,	3
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Mr. Wilson moved that Mr. Randall be excused from voting;

Which motion did not prevail,

Mr. Randall then voted as recorded above.

On motion of Mr. Mead,

Mr. Swift was excused from voting.

The title was then agreed to.

On motion of Mr. Dusseau,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 132, entitled

A bill to authorize the judge of probate of Genesee county, to complete the records of proceedings before his predecessor,  
' Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Schars,
Alexander,	Hopkins,	Sexton,
Ball,	Howard,	Shepherd,
Barber,	Huckins,	Shetterly,
Beall,	Jewell,	Slayton,
Benedict,	J. H. Jones,	C. C. Smith,
Bonine,	Kedzie,	L. Smith,
Brownell,	Kingsbury,	R. B. Smith,
A. S. Brown,	Locke,	E. Spalding,
Canniff,	Lockwood,	P. S. Spaulding,
Camburn,	Lovell,	Stannard,
Chauvin,	Mallet,	Stevens,
Corey,	Mason,	Sweezy,
Deane,	Mead,	Swift,
Dunlap,	Miles,	Taylor,
Dusseau,	Murray,	Tompkins,
Eck,	Newcombe,	Walker,
Emery,	Newell,	Warner,
Fellows,	W. H. Osborn,	Wells,
Fenton,	Packard,	White,
Gallup,	F. Parsons,	Wilcox,
Glavin,	S. T. Parsons,	Willard,
Greenfield,	Parmelee,	Wilson,
Grier,	Pearl,	Woodward,
Hawley,	Randall,	Wright,
Healy,	Robinson,	Speaker <i>pro tem.</i> ,
Hill,	Rockwood,	

80

NAYS.

0

Title agreed to.

On motion of Mr. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to authorize the qualified electors of the township of

Hamtramck, in the county of Wayne, and State of Michigan, to raise a sum of money to pay for money advanced and borrowed to fill a quota and pay bounties to volunteers to aid in suppressing the rebellion,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Hill,	Mr. Shepherd,
Alexander,	Hopkins,	Shetterly,
Ball,	Howard,	Slayton,
Benedict,	Jewell,	C. C. Smith,
Bonine,	Kedzie,	L. Smith,
Brownell,	Kingsbury,	R. B. Smith,
A. S. Brown,	Locke,	E. Spalding,
C. R. Brown,	Mason,	P. S. Spaulding,
Canniff,	Mead,	Spence,
Camburn,	Mickley,	Stannard,
Chauvin,	Miles,	Stevens,
Corey,	Newcombe,	Sweezy,
Dusseau,	Newell,	Swift,
Eck,	W. H. Osborn,	Taylor,
Emery,	Packard,	Tompkins,
Fellows,	Parker,	Walker,
Fenton,	F. Parsons,	Warner,
Gallup,	S. T. Parsons,	Wells,
Glavin,	Parmelee,	White,
Greenfield,	Pearl,	Wilson,
Grier,	Robinson,	Woodward,
Hawley,	Schars,	Speaker <i>pro tem.</i> ,
Healy,	Sexton,	68

## NAYS.

Mr. Barber,	Mr. Holt,	Mr. Rockwood,
Beall,	Huckins,	Willard,
Deane,	Murray,	Wright,
Dunlap,	Randall,	11

Title agreed to.

On motion of Mr. Hawley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MESSAGES FROM THE SENATE.

By unanimous consent, the Speaker, *pro tem.* announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 11, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate manuscript joint resolution, entitled  
Joint resolution asking Congress for an appropriation of money to improve the harbor at the mouth of the Kalamazoo river, in Allegan county;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Deane,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the joint resolution put upon its immediate passage.

The joint resolution was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,  
Alexander,  
Barber,  
Beall,  
Benedict,  
Bonine,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
Canniff,

Mr. Holt,  
Hopkins,  
Howard,  
Jewell,  
Kingsbury,  
Locke,  
Lovell,  
Mason,  
Mead,  
Mickley,

Mr. Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Spence,

Camburn,	Miles,	Stannard,
Chauvin,	Murray,	Stevens,
Corey,	Newcombe,	Sweezey,
Deane,	W. H. Osborn,	Taylor,
Dunlap,	Packard,	Tompkins,
Dusseau,	Parker,	Walker,
Eck,	F. Parsons,	Warner,
Fellows,	S. T. Parsons,	Wells,
Fenton,	Parmelee,	Willard,
Gallup,	Pearl,	Wilson,
Greenfield,	Robinson,	Woodward,
Grier,	Rockwood,	Wright,
Healy,	Schars,	Speaker <i>pro tem.</i> ,
Hill,		

70

## NAYS.

Mr. Ball,

Mr. Randall,

2

Title and preamble agreed to.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, February 11, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution asking the government of the United States for an appropriation in money for the construction of harbors at the mouths of the Pentwater and Pere Marquette rivers,

And to inform the House that the Senate has receded from its amendments to the joint resolution.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

## UNFINISHED BUSINESS,

Being the consideration of the following concurrent resolution:

*Whereas*, In regard to the important question now before the American people, respecting the full restoration of the Federal

Union it is proper that the Legislature of the different States should declare their views, and what they believe to be the prevailing views of the people whom they represent; therefore,

*Resolved*, (The Senate concurring,) That it is the deliberate conviction of the Legislature of Michigan—

I. That the Union should be restored on the basis of justice, firmly established peace, and the permanent welfare of the Federal Republic.

II. That such restoration requires, that in the unrestored States, the right of the elective franchise should be secured to the loyal citizens of said States, without distinction of race or color.

III. That no acts of Congress, or of the National Executive, which look toward the readjustment of these States to their proper relations with the Union are practicable, safe or just, which do not recognize loyalty to the Union as the sole criterion of the right to determine the measures of such readjustment.

Mr. Willard moved to amend the resolution so as to read as follows:

CONCURRENT RESOLUTION in regard to Restoration and Impartial Suffrage.

*Whereas*, In regard to the important question now before the American people, respecting the full restoration of the Federal Union, it is proper that the Legislatures of the different States should declare their views, and what they believe to be the prevailing views of the people whom they represent; therefore,

*Resolved*, (The Senate concurring,) That it is the deliberate conviction of the Legislature of Michigan—

I. That the Union should be restored on the basis of justice, firmly established peace, and the permanent welfare of the Federal Republic.

II. That such restoration requires, that in the unrestored States, the right of the elective franchise should be secured to the loyal citizens of said States, without distinction of race or color.

III. That no acts of Congress, or of the National Executive, which look toward the readjustment of these States to their proper relation with the Union, are practicable, safe, or just, which do not recognize loyalty to the Union as the sole criterion of the right to determine the measures of such readjustment.

IV. In any of the States of the Union, any political discrimination, on account of race, or the recognition of any civil disability arising therefrom, is equally contrary to the dictates of sound policy, and every claim of humanity and justice.

V. The National Constitution should contain an explicit guarantee of the right of impartial suffrage throughout the Republic;

Which motion prevailed.

Mr. Huckins moved to amend the resolution by adding thereto the following:

*“Resolved further, That we deeply sympathize with the loyal citizens of the late rebellious States, in their devotion to, and their sufferings for the government of the United States, and would recommend that Congress take immediate measures to indemnify them for pecuniary losses sustained during the war, and provide a sufficient police or military force to protect their persons and property against the barbarous cruelty, and vindictive malevolence of bushwhackers, guerrillas and pardoned traitors;*

Which motion prevailed.

On motion of Mr. Willard,

The resolution was referred to the committee on federal relations.

Also the following:

CONCURRENT RESOLUTION relative to the Restoration of the Southern States.

*Whereas, The present policy of Congress in interfering with the rights and privileges of the Executive and the Supreme Court, co-ordinate branches of the General Government, must,*

if persisted in by Congress, lead to the most deplorable results, if not to the total destruction of the cardinal principles upon which our government is founded;

*And whereas,* The lately rebellious States have fully complied with all the constitutional obligations imposed by the General Government, as a condition precedent to their full restoration to the Union as sovereign States;

*And whereas,* The present course of Congress, in imposing new and still harder terms on those States, contrary to the most solemn promises made by the said Congress, to the people of the United States, is a just cause of alarm to the lovers of free institutions and good government, and a serious blow at the financial prosperity and welfare of the nation;

*And whereas,* A longer exclusion of the southern States is greatly detrimental and unjust to the already over-burdened people of the north, who are called upon to pay more than their just share of taxation, for the support of the government, chiefly owing to the policy of Congress, which has excluded these States from their just rights and privileges under the constitution, and diverted capitalists and others from developing the vast resources of said States, and thereby enabling them to contribute their just share of taxation for the support of the government; therefore,

*Resolved,* (the Senate concurring,) That it is the paramount duty of Congress to ignore mere party aggrandisement, and at an early day to admit the loyal Senators and Representatives of the Southern States, to their seats in the Congress of the nation, and to restore the said States to all their rights and obligations as equal and sovereign States of this Union.

*Resolved,* That a further disregard by Congress of the rights and wishes of the now loyal people of the south, is a serious embarrassment to the General Government, and a total disregard of the constitutional rights of the people.

*Resolved,* That the elective franchise in the different States of the Union, is a question beyond the jurisdiction of the Gen-



eral Government, and remains solely with the respective States, and should not be made a condition precedent to the admission of any State or territory into the Union.

Mr. L. Smith moved to lay the resolution on the table;

Which motion was withdrawn.

On motion of Mr. Dunlap,

The resolution was referred to the committee on federal relations.

On motion of Mr. Wilcox,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Tuesday, Feb. 12, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Prayer by Rev. Mr. McIntire.

Roll called: quorum present.

Absent at roll call, without leave, Messrs Boies, Storrs and Van Vleet.

Mr. Hopkins asked and obtained leaved leave of absence for Mr. Storrs, on account of sickness.

#### PRESENTATION OF PETITIONS.

By Mr. R. B Smith: petition of S. B. Lawrence and 48 others, citizens and freeholders of the village of Hubbardston, praying for the passage of a law authorizing the incorporation of the village of Hubbardston, in Ionia county;

Also, remonstrance of G. D. Kellogg and 24 others, citizens of the village of Hubbardston, against the passage of a law incorporating the village of Hubbardston, in Ionia county.

Referred to the committee on banks and incorporations.

By Mr. Alexander: petition of John Hicks and 41 others, citizens and business men of St. Johns, Clinton county, asking the passage of a law making railroad companies in this State responsible for losses of goods and merchandise by fire.

Referred to the committee on the judiciary.

By Mr. Kedzie: petition of F. Schneider, William Humphrey and 180 others, citizens of Ingham county, praying for the equalization of State bounties to soldiers in the late war who received no State bounties.

Referred to the committee on bounties.

By Mr. Randall: petition of C. J. Borkner and 83 others, citizens of Calhoun county, praying that the Legislature will not grant the University any appropriation until she has complied with the law of the State, which provides that there shall always be at least one professor of Homeopathy in the department of medicine, or that if the Legislature shall grant the University the appropriation she asks for, it be made conditional to her filling, in good faith, the chair of Homeopathy in said University.

By Mr. Jewell: petition of I. E. Richardson and 38 others, citizens of Ingham county, for the same purpose.

By Mr. Wilcox: petition of H. M. Boies, two allopathic doctors, and 40 others, citizens of Lenawee county, for the same purpose.

Referred to the committee on education.

By Mr. C. R. Brown: petition of D. N. Brown and 15 others, citizens of the township of Royalton, Berrien county, praying for the passage of a law authorizing townships to vote aid in the construction of a railroad from St. Joseph to the Indiana State line.

Referred to the committee on internal improvements.

By Mr. Lovell: petition of Benjamin Hartwell and 150 others, citizens of Kalamazoo county, praying for authority to build a dam across the Kalamazoo river, in the town of Charleston, Kalamazoo county.

Referred to the committee on roads and bridges.

By Mr. Upton: petition of John S. Hurd, Daniel B. Hibbard, A. W. Daniels and 105 others, citizens and tax payers of the township of Blackman, Jackson county, praying for the passage of a law, authorizing the refunding of all moneys paid

and advanced for the filling of the several quotas in said township, during the late rebellion.

Referred to the committee on bounties.

By Mr. Randall: petition of Dr. B. F. Bailey and 64 others, citizens of Lansing and Ingham county, praying that the legislature will not grant the University any appropriation until she has complied with the law of the State, which provides that there shall always be at least one professor of homeopathy in the department of medicine, or that if the legislature shall grant the University the appropriation she asks for, it be made conditional to her filling, in good faith, the chair of Homeopathy in said University.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on bounties:

The committee on bounties, to whom was referred the petition of John R. Clark and 180 others, citizens of Madison, in the county of Lenawee, praying for authority to said township, to pay certain indebtedness, incurred by certain persons, in behalf of said township, to pay bounties to volunteers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to provide for the payment of an indebtedness incurred by certain of the citizens of the township of Madison, in the county of Lenawee, to pay bounties to volunteers, to aid in suppressing the rebellion,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

C. R. BROWN, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and,

On motion of Mr. Wilcox,

Was placed on the order of third reading.

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 77, entitled

A bill to amend section 9, of chapter 98, of the revised statutes of 1846, being section 2999, of the compiled laws, relative to the distribution and partition of estates;

Also, Senate bill No. 61, entitled

A bill to regulate drayage to and from railroads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hawley,

The bills were placed on the order of third reading.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize the commissioners of highways to extend highways in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to define and limit the amount of money which may be granted and voted by the qualified electors of townships for the purpose of erecting town halls or other buildings for the public use of the inhabitants thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Corey,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 5, 19, 20, 24 and 26, of chapter 57 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. S. T. Parsons,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections one and three, of an act entitled "an act to authorize the issuing of patents for certain railroad lands in the Upper Peninsula, being act No. one hundred and seventeen, of the session laws of 1865;"

Also,

A bill to "amend section 3438 of the compiled laws, relative to the jurisdiction of the Supreme Court;"

Also,

A bill "rendering persons disqualified for sitting as jurors in certain cases;"

Also

A bill "in relation to security for costs;"

Also,

A bill "to organize union school district of Bay City;"

Also,

A bill "to provide for the return and settlement of tax sales by county treasurers;"

Also,

A bill to amend act number sixteen, of the session laws of 1864, being an act entitled "an act to authorize the formation of corporations for the running, booming and rafting of logs," by adding a new section thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

The several bills were ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of H. Wright, J. F. Emery and others, citizens of the village of Middleville, in the county of Barry, praying for the incorporation of the said village; also,

A bill entitled a bill to incorporate the village of Middleville, in the county of Barry,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. SWEEZEY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act to incorporate the city of Coldwater, approved February 28, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act, entitled an act to incorporate the city of East Saginaw, approved February 15, 1859, as amended by act No. 56, of the session laws of 1861, approved February 20th, 1861, and act No. 79, of the session laws of 1865, approved March 1st, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. SWEEZEY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to set off and incorporate a portion of the townships of Grand Haven and Spring Lake, in the county of Ottawa, into a city by the name of the City of Grand Haven,

And also the petition of C. B. Albee and 116 others, citizens of Grand Haven, and of H. C. Akeley and 27 others, praying, for reasons therein named, to be thus incorporated, and also the proceedings of public meetings of the citizens of Grand Haven aforesaid, unanimously adopting said bill for a city charter, and also the petition of J. F. Ricke and 22 other citizens and tax payers, residing upon sections 19 and 20, in the township of Spring Lake, which is included in the limits of said proposed city of Grand Haven, and also the remonstrance of H. Savadge and 68 other citizens of said Spring Lake, remonstrating against including said fractional sections 19 and 20 in the limits of said city, and also the remonstrance of George Luther and 135 other citizens of Tallmadge, in Ottawa county, and the remonstrance of George Eastman and over 100 other citizens of Polkton, in said county, and other remonstrances against the city of Grand Haven being allowed more than her due proportion of representation on the board of supervisors in said Ottawa county, respectfully report that they have had the same under consideration, and have directed me to report that they find the citizens of Grand Haven are unanimously in favor of being incorporated into a city by the passage of said bill; that it is a lake port town of considerable importance, and a large number of boats and vessels of all descriptions arrive and depart from its Harbor, and the Detroit and Milwaukee Railroad terminates there, and it is essential to the protection of those residing and owning property there, that they be thus incorporated and have jurisdiction over both banks of the river so as to control the harbor, and that fractional sections



19 and 20, lying northwest of Grand river, is but a tongue or narrow strip of land, lying between said Grand river and Lake Michigan, and contains the railroad depot and but a few families connected with the same and in the business of fishing, and is not very important to the township of Spring Lake, while it is quite essential and necessary to said city for the reasons herein named, and the citizens residing there cannot, from the nature of the country, the existence of high sand hills and of bayous and swamps, be accommodated as to schools and other respects, by remaining in said township of Spring Lake, and they can be well accommodated in all of these respects by being included in the city of Grand Haven, and every citizen and tax payer residing on said sections 19 and 20, and the owners of the land, have petitioned to be included in said city. Your committee are therefore clearly of the opinion that said fractional sections 19 and 20 should be included in and form a part of said city.

Your committee further report that there are 15 organized townships in said county, and the population of the same was, in 1864, 15,066, of which Grand Haven had 1,576, and 1,365 of that number was in the Grand Haven portion of the proposed city limits, and the present population of the proposed city is estimated to be 2,000 and over, and is rapidly increasing; that the total valuation of property in Ottawa county in 1866, as equalized by the board of supervisors of said county, was \$1,832,112, and of that amount Grand Haven had \$222,686, the principal part of which is in the limits of the proposed city of Grand Haven; that at the election of 1866, the total vote cast in said county for Governor was 3,001, of which number Grand Haven polled 329, while four other townships of said county cast at the same election an aggregate vote of 70 less than the vote of Grand Haven. Your committee are therefore of the opinion that by population and valuation of taxable property, the proposed city is entitled to have one member on the board of supervisors of said county, and they report said bill back to the House with the accompanying and such amendments as are

necessary to give said city one member on the board of supervisors, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. SWEEZEY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Swift,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on bounties:

The committee on bounties, to whom was referred the petition of E. W. Harris and eighty others, citizens of the city of Port Huron, in the county of St. Clair, praying for a State bounty to be paid to soldiers of this State who enlisted in the year 1864,

Respectfully report that the first State bounty law took effect on the sixth of March, eighteen hundred and sixty-three, authorizing the Governor to offer a uniform bounty of \$50 to volunteers mustered into Michigan regiments, batteries or companies, then organizing or in existence. Some regiments and batteries were first organized after the passage of this law, as for instance the 10th and 11th Michigan cavalry, and the 18th battery, and hence were not entitled to the benefit of this bounty. Some who were entitled to this bounty were refused it, but it was afterwards collected by them, though not until the determination of a suit in the Supreme Court, in the case of the "People *ex rel.* George W. Blair *vs.* Quartermaster General of Michigan."

On the 10th of November, 1863, this bounty was stopped by law. From that time to the 5th of February, 1864, no State bounty was paid, except a bounty of \$50, paid to veterans re-enlisting in the field.

On the 5th of February, 1864, a \$100 bounty was granted by law to volunteers enlisting after that date, and credited to their

place of residence or enrollment in the State, on the call of February 1st, 1864, but payment under it was continued till May 14th, 1864, when it was suspended by the State authorities. We have never yet ascertained by what authority this bounty was paid to those credited on the call of March 14th, 1864, for 200,000 men, or why it was continued just to the 14th of May, and then stopped, but we think our brave soldiers deserved it, notwithstanding the want of authority.

It became a question whether the call of February 1st, 1864, was an actual call for 200,000 men or 500,000 men. The State authorities deemed it a call for 200,000, and rejected a large number of the claims of those enlisting after the 5th of February, 1864, and credited on the first three-fifths, or 300,000 of the 500,000, on the ground that they belonged to the call of October, 1863.

In consideration of which, your committee have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to amend and explain sections eight and nine, of an act entitled "an act authorizing the payment of bounties to volunteers in the service of the United States," approved the fifth day of February, 1864,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

C. R. BROWN, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and,

On motion of Mr. Mead,

Was referred to the committee on ways and means.

The petition was laid on the table.

By the committee on bounties:

The committee on bounties, to whom was referred the petition of William Purcell, praying to be reimbursed for expenses incurred in recruiting 40 men for the 27th Mich. Infantry,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee on ways and means, and ask to be discharged from the further consideration of the subject.

C. R. BROWN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walker,

The petition was referred to the committee on ways and means.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Benona, in Bay county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Howard, in the county of Muskegon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill providing for the improvement of the State or main road from Chesaning, in the county of Saginaw, south through the village of Corunna to the Grand river road, in the county of Shiawassee, and appropriating swamp lands therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the house, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill for the relief of railroads, in the Upper Peninsula,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the house, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM WARNER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bill and joint resolutions:

A bill for the extension of the time for the collection of a drain ditch tax, in the township of Olive, Clinton county, for the year 1866;

Also,

Joint resolution asking Congress for an appropriation in money for the construction of harbors at the mouths of the Pentwater and Pere Marquette rivers;

Also,

Joint resolution asking Congress for an appropriation in money to aid in the construction of a harbor at New Buffalo, Berrien county;

Also,

Joint resolution asking the general government for an appropriation in money for the construction of a break-water and light-house in the harbor of Port Austin;

Also,

Joint resolution asking Congress to make money appropriations for the survey of the harbor of Alpena, at the mouth of Thunder Bay river, and for building a light-house, and making other improvements thereat;

Also,

Joint resolution authorizing the Commissioner of the State Land Office to issue a certificate of sale of certain land to Charles McCormick, of Ypsilanti, Michigan;

Also,

Joint resolution asking Congress for an appropriation of money to improve Portage lake and river, in Houghton county.

DANIEL UPTON, *Chairman*.

Report accepted.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend section 28, of an act entitled "an act to provide for assessing property at its true cash value, and for levying and collecting taxes thereon, approved February 14, 1858," and the acts amendatory thereto, approved February 12, 1855; and Feb. 14, 1858,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be referred to the judiciary committee, and ask to be discharged from the further consideration of the subject.

WM. S. WILCOX, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Mickley,

The bill was referred to the committee on the judiciary.

#### REPORTS OF SELECT COMMITTEES.

The special committee, to whom was referred the following memorial of T. T. Lyon and Sanford Howard, viz:

*To the Honorable, the Legislature of the State of Michigan:*

Your memorialists would respectfully represent, that, owing to the original abundance of the timber growth of our State, and the obstacle it consequently presented to the occupation of the soil for agricultural and other purposes, together with a very general failure to appreciate its modifying influence upon our climate, a most reckless, improvident, and as your memorialists believe, injurious warfare, has, from the earliest settlement of our State, been waged against our forests, opening to the free sweep of winds, in many cases, extensive stretches of country, and thereby injuriously affecting still broader regions, by subjecting them, from such course, to more sudden and extreme changes of temperature, and at the same time increasing the liability to frost and drought, by not only diminishing the amount of rainfall, but also by accelerating evaporation from the surface, accompanied as it must ever be, by a corresponding rapid diminution of temperature.

The momentary importance of this subject may be appreciated if we consider that within the last five years, the damage to the wheat crop of our State alone, from lack of shelter, can hardly be less than many millions of dollars; while the loss of fruit

trees and their products, within that period, from the same cause must at least be an equal sum.

Believing, as your memorialists do, that this process is still going on, and that its continuance must involve still more extensive and injurious effects upon the climatology of our State, we may be allowed to invoke your careful consideration of the subject, for the purpose of devising if possible, a remedy. And, as a means of securing so desirable a result, we may be allowed to suggest the importance of a general diffusion of information on the subject, the encouragement by legislation for the preservation of spare timber in belts along the exposed sides of our farms, and the planting of trees as windbreaks where lands have been already opened; and to facilitate this last process, the modification of our highway laws, the better to facilitate the shutting up of stock from the highways, and the planting and preservation of roadside trees, whenever the people of a town so desire—and, in any and every feasible manner, the encouragement of the planting of trees as windbreaks, about buildings, yards, orchards, fields, farms and highways, till this country shall become checkered over with windbreaks, either natural or artificial, breaking up and diminishing the force of our prevailing winds, attracting and retaining the tribute of passing clouds, and still further improving the equability of the temperature, by checking the two free radiation of heat from the soil.

With this state of affairs in process of realization, we shall no longer be subject to the imputation that we are, by the recklessness of our people in this respect, entailing upon ourselves and our descendants, the severities of the prairie winters, while the inhabitants of the prairies, having the subject brought feelingly to their consideration, are, through a prudent foresight in this respect, already beginning to reap the benefits of the opposite course.

Your memorialists would request that in consideration of the peculiar nature of the subject, and the object to be secured, it



be referred to such committee of your body, as from previous acquaintance with the matter in its various bearings, shall be best qualified to give it due consideration.

T. T. LYON,

SANFORD HOWARD,

*Sec. Mich. State Board of Agriculture.*

LANSING, Jan. 11, 1867.

Present the following report:

Your committee, deeply impressed with the importance of this subject, have sought to give it the thoughtful and conscientious investigation which is due to a subject which deeply affects the agricultural productions and the general welfare of a great commonwealth. The interests to be subserved, and the evils to be avoided by our action on this subject have reference not alone to this year or the next score of years, but generations yet unborn, will bless or curse our memory according as we preserve for them what the munificent past has so richly bestowed upon us, or as we lend our influence to continue and accelerate the wasteful destruction everywhere at work in our beautiful State.

With an abundance of valuable forest trees, such as has blessed no other State east of the Rocky Mountains, our people have been disposed to regard this legacy of the slow-paced centuries, not as a blessing to be prized and cherished, but an enemy to be destroyed. Before this blind impulse of destruction, nothing is regarded as worthy of protection. The trees which should adorn the farmer's lawn, shade his home, border his lanes and roads, and afford a grateful shade in his pastures, are all made to pass under the axe. Even trees which would soon bring him wealth as lumber are often sacrificed to that insatiate monster "improvement." Thus the black walnut and cherry in many parts of the State, have been split into rails or burned in log-heaps. Pines are cut down for a few bolts of shingles or a single saw-log, and the balance left to rot; oaks fit for the ribs of mighty navies, are burned up to rid the ground of an encumbrance, and to-day the exquisitely beau-

tiful "bird's-eye maple," fit to adorn the palaces of kings, is burned as fire-wood, or thrown into the log-heap, an unconscious burnt-offering to the god of Folly. Instead of preserving in any proper measure these blessings of God's own planting, man seems to take delight in wasting his fair heritage, and as tree after tree falls beneath his blows, he exclaims, "one enemy less in the land." Thus fields and homes, highways and bye-ways, are smitten with one common treeless doom, and the dreary monotony of the desert threatens a land that was once like the Eden of old, where "God made to grow every tree that is pleasant to the sight and good for food." We have forgotten that the bountiful Father has declared that "*the tree of the field is man's life.*"

It is not claimed that it is wrong to sacrifice some portion of forests to form arable field and meadow. The forest, as such, yields no food for man, or nothing adequate to sustain a dense population; but to cut down the forest just as we would attack any nuisance, merely to destroy it,—to lay it waste to form new fields while the old fields are only partially and inefficiently cultivated from lack of labor, means, or energy—this is mere vandalism—the destruction of treasures which, the destroyer knows not how to prize.

The wealth of the United States in forest growths, is a matter of just pride to those who have compared our forest growths with those of other countries. Thus, according to Clave, the forest trees of France comprise only about twenty species, and according to Rossmäslar, there are only about fifty-seven species in Germany, but of these, many are mere shrubs, or fruit trees, so that it is safe to say that the forest trees of Europe, of economical value, do not exceed forty or fifty species; while, according to Dr. Cooper, the species in the United States exceed two hundred and thirty; and in the North American Sylva, by Michaux, with supplement by Nuttall, there are described as natives of the United States, one hundred and ninety-four species, of which the trees average a height over thirty feet, and eighty-six species with average

height over fifty feet. Of the trees in the United States which would be classed as first and second class forest trees, there are twenty-two species of oaks, eleven of walnuts, ten of maples, eleven of birches, and forty-seven of evergreens, as pines, &c.; or the evergreens alone, of the United States, which are classed as first and second class forest trees, equal the species of all Europe combined. But not only is the United States, as a whole, thus rich in its arboreal growth, but there is no State east of the Rocky Mountains so rich in its forest wealth as Michigan. Indeed, too many have regarded this wealth as so abundant as to amount to the actual poverty of its possessor, to be got rid of at any sacrifice. With all such, the statement of Hon. Geo. P. Marsh, in his very valuable work "Man and Nature," (p. 301,) should have great influence: "I greatly doubt whether any one of the American States, except, perhaps, Oregon, has at this moment more woodland than it ought permanently to preserve, though no doubt a different distribution of the forests in all of them might be highly advantageous."

But rich as we are in this treasure, when we see how rapidly we are parting with it—when we learn how vast is our market—that the government buildings at Nashville, Chattanooga, and Nashville were built with pine lumber taken from Saginaw,—when we see that Chicago has become the first lumber market in the world, and all her treasures drawn from our State, that every river and stream on our western border is made to pour this forest wealth into the Chicago market, to supply the comparatively treeless region which stretches to the foot of the Rocky Mountains—when we see these "portable steam saw-mills," like "flying artillery," sweeping over our State, at every cross-roads, opening their guns upon the trees still left in the settled portions of the State—your committee think our people should ponder, and ask themselves whether they are not "killing the goose that lays the golden egg." While the people of this State feel a great pride in their mineral resources—in their copper, which stands confessedly at the head of all produced in the world for its purity, so that when European Physicists,

when requiring copper of absolute purity, say that "Lake Superior copper must be used for this instrument,"—its iron which acknowledges no superior, and must search far and wide, for an equal—its salt, plaster, and marble, which will soon take the rank "first among equals"—yet, in the estimation of your committee, Michigan is richer in her forests than in all her mineral resources combined—and it is eminently proper that attention should be called to the fearful waste which is squandering this priceless treasure.

But however important this subject, and worthy of the attention of the land-owners of this State, it is the duty of your committee to call the especial attention of the farmers and fruit-growers, to the effect of the destruction of these forests on the climate of our State.

Forests act as a balance-wheel of the land climate, contributing powerfully to an equability in the three most important elements of climate, viz: heat, moisture, and wind.

Your committee will consider these subjects in the order indicated.

#### TEMPERATURE.

The tendency of climate in this latitude, far removed from the controlling influence of the oceanic bodies of water, is to tropical heat in summer, and arctic cold in winter, and hence the necessity of some agent which will control the power of the one, and moderate the rigor of the other.

The question is often asked whether our climate has changed since this State was first settled? and your committee regret that they have no meteorological observations reaching back far enough to settle this important question, but there are some facts which seem to indicate that our winters have greatly increased in severity within the last forty years, and this increased severity seems to move along even-paced with the destruction of our forests. Your committee will make a short extract bearing on this point, from the report of 1865, of the Secretary of the Board of Agriculture, p. 244:

"Thirty years ago the peach was one of the most abundant fruits in this State: easy to cultivate, and the tree bearing early, it was planted everywhere, and everywhere yielded its luscious harvest. This was emphatically true of the South-Eastern part of the State. At that time a frost injurious to corn at any time from May to October was a thing unknown. Thirty years ago I plucked in abundance spring flowers in the open fields in Lenawee County in January. Now, the peach in all that region is a most uncertain crop. The contingency of frost enters into the farmer's calculations concerning the corn-crop, and curious boys do not hunt the fields for flowers in January. Fourteen years ago I settled in Eaton County, and there again found the peach in all its pride of honey and gold, but there too it is fast passing away, till a good crop of peaches comes 'like angels visits.' A similar change is observed in almost all of the older-settled parts of the State, till the peach seems destined to take up its final abode in a narrow strip skirting the eastern shore of Lake Michigan."

The destruction of the wheat as well as the corn crop, is becoming a matter of great anxiety to our farmers in many sections, and the winter-killing of the clover in the eastern part of the State last winter, not by "heaving," but apparently frozen dead in the ground, and appearing black and rotten in the Spring, may be another proof of climatic changes of grave significance to the farmers and dairymen.

While there is this strongly marked tendency to increased severity in our winter cold, there seems an equally strongly marked tendency to excessive summer heat. The heat of the sun is moderated chiefly by three causes: radiation, evaporation, and ærial currents or winds. The heat of the sun, if not mitigated by radiation or evaporation, would render a large part of our globe uninhabitable. Thus Herschel at the Cape of Good Hope, in mid-winter, cooked eggs by the heat of the sun alone—not by concentrating it, but simply by confining it, and preventing its radiation. Radiation takes place only from

the surface of bodies, and the more extended the surface, the greater the capacity for radiation.

The trunk, branches, and leaves of a tree, present a larger surface than the ground they cover. Dr. Gray tells us, "the Washington Elm, at Cambridge—a tree of no extraordinary size—was some years ago estimated to produce a crop of seven million leaves, exposing a surface of two hundred thousand square feet, or about five acres of foliage." With such a vast increase of radiating surface, no one will wonder at the refreshing coolness of the forest shade, and no one will doubt but that a country abounding in forest trees must enjoy comparative exemption from excessive summer heat; but where this is wanting, as in some of the sandy deserts, where the summer glare is unbroken by a shadow, and only the sandy surface radiates the intolerable heat, travelers tell us that "the soil is fire and the wind is flame." We have here, indeed, a concurrence of circumstances tending to produce a high temperature—the absence of moisture in the soil, and consequently no evaporation, the absence of clouds to intercept the sun's rays, and the small surface of the sandy plains. The reverse of all these conditions we find in forests; and with the destruction of its forests, every country is liable to deterioration from excess of summer heat.

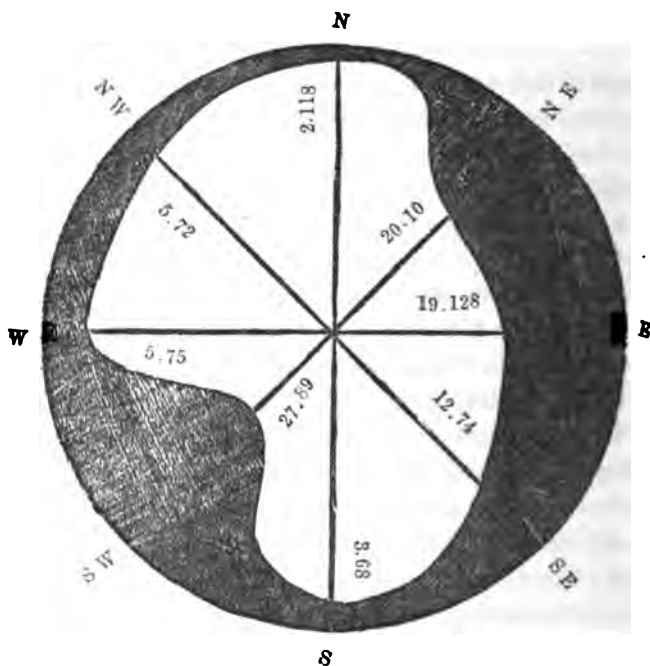
Excess of radiating surface would tend to increase the severity of our winters, but with the approach of winter this enormous increase of surface vanishes with the fall of the leaves, and the leaves themselves become an admirable covering for the cold and freezing earth. Thus the forest leaves shed their cool and dewy blessings upon the earth in summer heat, and cover it up tenderly and warmly from the winter cold. Even when the leaves by process of decay have passed into the condition of vegetable mold, their protecting influence does not cease, for this substance is an excellent non-conductor of heat. Even in the compact form of swamp muck the non-conducting property is strongly marked. Thus in the winter of 1865, in making excavations for laying pipes to convey water to the Re-

form School in this city, the ground was found frozen in some places to the depth of four feet, yet on the muck bed at the Agricultural College, in a position equally exposed, the frost extended to a depth of less than eight inches. While our open fields, which by process of cultivation have been deprived of their covering of leaf mold, become frozen to a great depth in our protracted winters, the forest grounds retaining this covering of leaves and mold, are often protected from frost altogether, or frozen only superficially.

Forests exert, indirectly, a controlling influence over the temperature of a country through their relations to evaporation and precipitation of moisture, and this subject will be again alluded to, when discussing the relations of forests to evaporation and precipitation.

It is believed by many that there is an intimate relation between the ratio of evaporation to precipitation, and the fertility of any region. Exceptions to this are found when natural or artificial irrigation remedies the absence of rain. But in general terms where evaporation is so greatly in excess of precipitation, that all precipitation is removed by evaporation, and none is drained off by rivers, barrenness is the general rule. Whenever, therefore, the amount of rainfall is deficient, or tends to deficiency, anything which tends to increase evaporation, will tend to the agricultural impoverishment of that region. The usual annual fall of rain in the central part of our State, is about 29 inches. In the year 1866 there was a large excess over this amount, being  $39\frac{1}{2}$  inches; but this is 10 inches in excess of the average. We are beyond the latitude of the excessive precipitation of the returning trade-wind. This S. W. wind, although our most prevailing wind, overbalancing in frequency all the other winds which blow in the central part of the State, reaches us as a comparatively dry wind. Thus it appears from the observations taken at the Agricultural College for nearly four years, that the rainy winds are easterly winds.

If you call the winds from the SW. W. and N. W. the westerly winds, and those from NE. E. and S. E. the easterly winds, from observations taken three times a day, viz: at 7 A. M., 2. P. M., and 9 P. M., we find that in 1863 every 11.2 easterly winds gave one inch rain; and every 70.1 westerly winds gave one inch rain; in 1864, every 12 easterly and 66½ westerly winds gave one inch rain.



RAIN ROSETTE FOR 1863-1866.

In 1865—every 14½ easterly, and every 60½ westerly winds gave 1 inch rain.

In 1866—every 12 easterly, and every 32 westerly winds gave 1 inch rain.

Or, on the average, ever 12.4 observations of winds from the east, give 1 inch rain, and every 57.3 observations of westerly



winds give 1 inch rain. The observations are taken thrice daily.

Investigations designed to determine the relation of evaporation to precipitation in this latitude, have developed some startling facts. Observations for this purpose were made at the Agricultural College, for the years 1865, and 1866, from March to November, of each year. The observations were made by exposing a vessel with vertical sides, so as to expose the same surface to evaporation and precipitation. This vessel was exposed to the action of the sun and wind, being placed on the surface of the open ground, away from buildings and trees. In this vessel was placed water to the depth of one inch, and whenever it approached dryness, an inch additional of water was placed in the vessel, or if it was like to overflow, an inch in depth was removed. As rain would fall into this dish, as well as water evaporate out of it, the difference between the water added and that taken out would give the difference between evaporation and precipitation. In the year 1865, during the eight months, from March 15th to Nov. 14th, the evaporation exceeded the rain-fall by  $6\frac{1}{2}$  inches, or the rain-fall for 8 months was 25.35 inches, while evaporation was 30.85 inches.

In 1866 the rainfall for the corresponding 8 months was 29.78 inches, while the evaporation for the same time exceeded this by  $2\frac{1}{4}$  inches or a total evaporation of 32.03 inches. It will be understood that in these observations the evaporations took place from a *saturated surface*, and consequently greatly exceeded the evaporation which takes place from the surface of the ground which is seldom saturated with water during the growing months.

Since the above was written one member of your committee received from I. A. Lapham, LL. D., of Milwaukee, an account of similar investigations made at Milwaukee, and extending through five years. Dr. Lapham made his investigations by exposing a basin of water in the open air, and measuring the amount of evaporation by means of a micrometer screw turned down every morning until the point of the screw touched the

surface of the water. His observations are given for the year by months, but as the observations at the Agricultural College were taken only from March 15 to Nov. 14 for each year, one-half of Dr. Lapham's observations for March and November, both of the evaporation and rainfall will be taken, which will give an approximation of the true result. We find that the average rain for this period for five years at Milwaukee is 23.61 inches, while the average evaporation for the same period is 32.58 inches, or the evaporation exceeds the precipitation by 8.97 inches, while at the Agricultural College the average excess of evaporation is only 4.37 inches. In other words the excess of evaporation over precipitation for 8 months at Milwaukee surpasses that at Lansing by 4.60 inches.

Undoubtedly the relations of evaporation to precipitation will be found to vary in different parts of our State. The noble inland seas which clasp our borders must have a large control over the meteorology of their shores. Notwithstanding this control, the tendency to excess of evaporation over precipitation in this latitude shows that any process which will increase this tendency should be viewed with alarm. Even with the present large extent of the surface of our State covered with forest, the evaporation is found to be in excess of precipitation. Will not the further destruction of our forests tend to increase still more this disparity? May not the excess of evaporation over precipitation in Wisconsin be accounted for by her limited forests and extended prairie surface?

Forest growths are regarded by many of our ablest physicists as exerting a marked influence over the amount of rainfall in such a region. The fact that all countries abundantly clothed with forests are also well supplied with rain, and the rain is equally distributed through the season of vegetable growth, would naturally lead to the conclusion that forest growths have some agency in determining this rainfall. Others have claimed that the equable rainfall was the effect of other causes, and that the abundant forest growth was the *effect* of the abundance and distribution of the rain, and not the *determining cause* of the

rain. But whichever we may place as antecedent, or consequent, we find that abundant and well distributed rain is associated with large forest growths, and if these forest growths are extensively removed, the rains diminish, or become capricious, droughts and floods alternating, while in regions destitute of all vegetable growth, rain is unknown, as in the strong lines of the poet, quoted by Marsh:

"Afric's barren sand,  
Where naught can grow because it raineth not,  
And where no rain can fall to bless the land,  
Because, naught grows there."

Humboldt, while speaking of the effect of removing forests, says: "In felling the trees which covered the crowns and slopes of the mountains, men in all climates seem to be bringing upon future generations, two calamities at once—a want of fuel and a scarcity of water."

Herschel enumerates among the influences unfavorable to rain, "absence of vegetation in warm climates, and especially of trees. This is no doubt one of the reasons of the extreme aridity of Spain." What the real condition of Spain is, may be seen by the following extract quoted by the *Detroit Daily Post*: "Aridity and barrenness, indeed, is the general characteristic of the whole country. The insane folly which has caused the people to denude the country of trees, has modified no doubt unfavorably, a climate already too dry, which strikes with astonishment and horror one new from the delicious freshness and verdure of England. The Spaniard, and above all, the Castilian, has an innate hatred of a tree; if he does not cut it down for firewood, he cuts it down because it harbors birds that eat his grain. Forests and brushwood alike disappear before the inevitable axe, until, as often occurs in Castile, the traveler may look for leagues over the country, without seeing a tree or brush to break its uniformity. This foolish extinction of the forests has been the source of innumerable evils to the country—evils which are continually acting upon and augmenting each other. Unrestrained by any vegetation, the rain

water rushes down the steep sides of the hills and over the plains, wearing them into deep gullies, and carrying off the finer and most valuable parts of the soil. The rivers, terrible and dangerous torrents in times of rain, shrink and dry up almost immediately after this is passed over; the water, for which the country is gaping, hurried off to the sea, becomes lost for all useful purposes; an extreme aridity of the atmosphere is the consequence, a continually diminishing rainfall, and a continually impoverished country, which nothing can now remedy but a strong energetic action on the part of the people to replant and irrigate it."

Asbjørnsefi, quoted by Marsh, says: "Numerous examples show that woods exert an influence in producing rain, and that rain fails where they are wanting; for many countries have, by the destruction of their forests, been deprived of rain, moisture, springs, and water courses, which are necessary for vegetable growth. In Palestine, and many other parts of Asia, and Northern Africa, which in ancient times were the granaries of Europe, fertile and populous, similar consequences have been experienced. These lands are now deserts, and it is the destruction of the forests alone, which has produced this desolation.

"On the other hand, examples of the beneficial influence of planting and restoring the woods are not wanting. In Lower Egypt, both at Cairo and near Alexandria, rain rarely fell in considerable quantity—for example, during the French occupation of Egypt, it did not rain for sixteen months—but since Mehemet Aali and Ibrahim Pacha executed their vast plantations, (the former alone having planted more than twenty millions of olive and fig trees, cottonwoods, oranges, &c.,) there now falls a good deal of rain, especially along the coast, in the months of November, December and January; and even at Cairo it rains both oftener and more abundantly, so that real showers are no rarity."

Boussingault, a most careful observer and guarded writer, says: "In my judgment, it is settled that very large clearings must diminish the annual fall of rain in a country."

## SPRINGS AND STREAMS.

It is a matter of common observation that springs are frequently dried up by clearing the ground above and adjacent to them. A great many instances might be adduced in proof, but only two will be mentioned here. Marschand, quoted by Marsh, says: "The Wolf Spring, in the commune of Soubey, furnishes a remarkable example of the influences of the woods upon fountains. A few years ago this spring did not exist. At the place where it now rises, a small thread of water was observed after very long rains, but the stream disappeared with the rain. The spot is in the middle of a very steep pasture, inclining to the South. Eighty years ago, the owner of the land perceiving that young firs were springing up in the upper part of it, determined to let them grow, and they soon formed a flourishing grove. As soon as they were well grown, a fine spring appeared in the place of the occasional rill, and furnished abundant water in the longest droughts. For forty or fifty years this spring was considered the best in the Clos du Doubs. A few years since the grove was felled and the ground turned into a pasture. The spring disappeared with the wood, and it is now as dry as it was ninety years ago."

Dr. Piper, in his "Trees of America," says: "Within half a mile of my residence there is a pond, upon which mills have been standing for a long time, dating back, I believe, to the first settlement of the town. These have been kept in constant operation until within some twenty or thirty years, when the supply of water began to fail. The pond owes its existence to a stream which has its source in the hills which stretch some miles to the south. Within the time mentioned, these hills which were clothed with a dense forest, have been almost entirely stripped of trees; and to the wonder and loss of the mill-owners, the water in the pond has failed, except in the season of freshets; and what was never heard of before, the stream itself has been entirely dry. Within the last ten years a new growth of wood has sprung up on most of the lands formerly occupied by the old forests, and now the water runs

through the year, notwithstanding the great droughts of the last few years."

The influence of the forest in promoting springs and small streams is not difficult to understand. In the first place evaporation is checked both by excluding winds and by shading the ground from the direct rays of the sun, so that but little evaporation takes place except what is transpired or evaporated from the leaves. In the second place the fallen leaves and the leaf mold readily absorb, and tenaciously retain the rains which fall upon them, so that the rain water flows from such grounds but very slowly, the great mass being absorbed by the soil and reappearing at places more or less distant as springs and rivulets.

#### INUNDATIONS.

A rain may fall on a hay-stack or thatched roof for hours before any will be seen to trickle down its sides; but if it fall upon a clean shingle roof, the eaves begin to drip at once. So the slowness with which rain-water, falling on forests, finds its way into water-courses, as compared with the impetuosity with which it rushes from the open fields, shows clearly that forests have a restraining influence upon the inundations which naturally follow any unusual rain-fall. The danger in such inundations arises not so much from the quantity of the rain-fall, as the rapidity with which it finds its way into the water courses. If the period of egress of such waters can be extended, the danger is proportionately diminished, or disappears altogether. On the other hand, any system of husbandry which accelerates this efflux of a rainfall, whether it be by destroying the natural absorbent surface of the soil, and substituting therefor the comparatively non-retentive surface of pastures and meadows, or by ditches or other means affording a more rapid escape for such rainfall, increases by so much the danger from inundations.

Were not the remarkable inundations which occurred in the State of Ohio during last year, with their attendant destruction of property, the natural result of opening up the avenues of escape into the water courses, so that the rainfall

which in a wooded country, would be many days in escaping, might now flow off in a few hours? If the farmers of Ohio had cherished their Sylvan friends and protectors, would they not have secured immunity from so great a calamity?

But the most usual season of danger from these freshets is when the snow, which has accumulated through the winter, is carried off by a rain and warm wind. In such cases the beneficial influence of the forest is very great, for there is not only the absorbing and retaining influence of the forest soil with its natural covering, but the rapidity with which the snow melts in the woods is much less than in the open grounds where the warm winds have full sweep. Mr. Marsh quotes an instance from Dr. Piper which clearly confirms this view: "A body of snow one foot in depth, and sixteen feet square, was protected from the wind by a tight board fence about five feet high, while another body of snow, much more sheltered from the sun than the first, six feet in depth, and about sixteen feet square, was fully exposed to the wind. When the thaw came on, which lasted about a fortnight, the large body of snow was entirely dissolved in less than a week, while the smaller body was not wholly gone at the end of the second week." In this case the snow fully exposed to the wind melted more than twelve times faster than that sheltered from the wind. If the melting of our snow in the spring, instead of being completed in a few hours, could be extended through a period twelve times as long, the violence of our spring freshets would disappear under all ordinary circumstances, and be greatly mitigated under all extraordinary circumstances. The most feasible means for securing this result, is by availing ourselves of the protecting influence of forest growths, and thereby controlling the sweep of the wind.

Allusion has been made to the incidental control of temperature exercised by forests. This arises from the relations of watery vapor to radiant heat, and in consequence of the greater dampness of the forest climate. Tyndall, in his beautiful researches on heat, has shown that water-vapor has a most re-

markable power of restraining the radiation of heat, and by a series of experiments, perfectly convincing, has demonstrated that an atmosphere saturated with watery vapor, acts as a screen, to cut off almost entirely the escape of heat by radiation. There are well known facts which confirm the deductions from the philosophical researches of Tyndall and Count Rumford. Thus travelers assure us that in the rainless deserts, such as Gobi and Sahara, while the sands by day reach a temperature almost unendurably hot, yet the nights are almost as unendurably cold, for the atmosphere over these parched wastes is so destitute of moisture that radiation is almost entirely unchecked, and the temperature which by day often reaches 130°, at night often falls below the freezing point. This connection of drought and frost was noticed centuries ago: thus Jacob in his spirited reply to Laban, in summing up the hardships of his shepherd life said, "*in the day the drought consumed me, and the frost by night, and my sleep departed from my eyes.*"

In our own State, autumnal droughts are almost always soon followed by frosts. Thus the frosts which cut the corn in September, 1863, was preceded by a drouth, there being less than nine-tenths of an inch of rain in that month. So important is atmospheric humidity in checking radiation of heat, and thus preventing frost, that Tyndall makes the following statement: "The withdrawal of the sun from any region over which the atmosphere is dry, must be followed by speedy refrigeration. The winters of Thibet are almost unendurable from the same cause. Even the absence of the sun at night, causes powerful refrigeration when the air is dry. The removal, for a single summer's night, of the aqueous vapor from the atmosphere which covers England, would be attended by the destruction of every plant which a freezing temperature could kill. In short, it may be safely predicted, that whenever the air is dry, the daily thermometric range will be great."—*Tyndall on Heat*, p. 405.

The gardener who wishes to preserve his tree from spring frost, places a tub of water under it, and the watery vapor ris-



ing from this in a still night envelopes the tree in an invisible blanket to cover it from frost. The autumnal frosts which have injured our crops in years past, have inflicted no injury in the vicinity of rivers and lakes where the exhalations arising from these bodies of water have spread their protecting mantle over the adjacent lands. The great specific heat of water has undoubtedly much to do with this protecting influence, but more still is done to this peculiar influence of the watery vapor. As the atmosphere becomes dryer by clearing away the forest, frosts during the growing season, become more frequent and more destructive. This has been the general experience in clearing up a new country, and is an urgent plea for the preservation of a portion, at least, of our forests.

#### WINDS.

One of the most important offices of the forest is the control of winds. With the exception of mountain ranges, no terrestrial object has such marked control over the violence of winds as forest trees; and there are numerous instances to show that the destruction of the forest has opened the country to the disastrous influence of the pitiless wind. Thus Dussard, as quoted by Marsh, maintains that the *mistral*, the dreaded N. W. wind of France, whose chilling blasts are so fatal to tender vegetation in spring, "is the child of man, the result of his devastations. Under the reign of Augustus, the forests which protected the Cevennes, were felled or destroyed by fire in mass. A vast country, before covered with impenetrable woods—powerful obstacles to the movement and even the formation of hurricanes—was suddenly denuded, swept bare, stripped, and soon after, a scourge hitherto unknown struck terror over the land from Avignon to the Buches du Rhone, and thence to Marseilles, and along the whole maritime frontier. The people thought this wind a curse sent of God. They raised altars to it, and offered sacrifices to appease its rage."

Prof. Rosa, in the Polytechnic Journal for Dec., 1861, gives the following: "To supply the extraordinary demand for Italian iron occasioned by the exclusion of English iron in the

time of Napoleon I. the furnaces of the valleys of Bergamo were stimulated to great activity. The ordinary production of charcoal not sufficing to feed the furnaces and the forges, the woods were felled, the copses cut before their time, and the whole economy of the forest was deranged. At Piazzatore there was such a devastation of the woods, and consequently such an increased severity of the climate, that maize no longer ripened. An association formed for the purpose effected the restoration of the forest, and maize flourishes again in the fields of Piazzatore."

Similar ameliorations have been produced by plantations in Belgium. Thus Bande in the *Reveu des Deux Mondes*, makes this statement: "A spectator placed on the famous bell tower of the cathedral at Antwerp, saw not long since, on the opposite side of the Schelde, only a vast desert plain; now he sees a forest, the limits of which are confounded with the horizon. Let him enter within its shade. The supposed forest is but a system of regular rows of trees, the oldest of which is not forty years of age. These plantations have ameliorated the climate which had doomed to sterility the soil where they are planted. While the tempest is violently agitating their tops, the air a little below is still, and sands far more barren than the plateau of La Hague, have been transformed, under their protection, into fertile fields."—(Man and Nature, p. 152.)

But we need not go beyond the limits of our own State for proof of the ameliorating influences on climates, of the destruction of forests. Attention has already been called to this by the failure of the peach crop all over our State, save a narrow strip under the lee of Lake Michigan, and by the partial destruction of our clover crop last winter. But a still more serious loss is the great damage to our wheat crop, especially in our old and well improved counties. The following extract from a valuable lecture delivered at Jackson, before a meeting of the agriculturists of Michigan, in 1864, by that veteran in the pomology of our State, T. T. Lyon, Esq., and quoted in the report of the Secretary of the State Board of Agriculture,

for 1865, p. 251, places this subject in a clear light. "The natural result of this wholesale destruction, is manifesting itself in the higher winds, the more sudden changes, and the more extreme cold of our winters. Although in consequence of this state of affairs the peach, once almost as sure throughout our State as the apple, is now, in effect, driven under the lee of Lake Michigan; and although even our staple grain crop, wheat, was but two years since almost a total failure from want of shelter and protection, and though we have reason to fear that we have not yet seen the worst, the process of destruction yet goes on unchecked, and with a strange fatuity. Although the subject is one that deeply concerns us all, no measures are being taken or even seriously contemplated, to stay the growing calamity.

"Two years since, at a similar meeting, I availed myself of the opportunity to urge upon the Agriculturists of the State the importance of action in this matter. During the next winter the wheat crop of the entire State, from the want of the usual covering of snow, and the general lack of shelter from wind and sun, was diminished in amount more than one-half,—a loss to the State in a single year of more than five millions of bushels. The present winter threatens a repetition of the same calamity; and with the great breadth of wheat sown, we shall be fortunate if the amount of loss be not essentially greater than before."

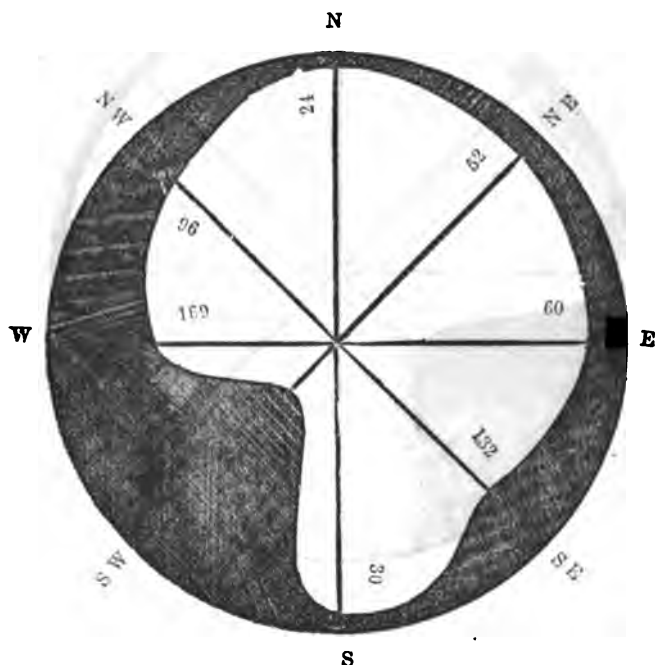
Last year the loss on all that part of the State lying south of the Michigan Central railroad,—a region deprived of the ameliorating influence of Lake Michigan on the south-west wind,—and comprising the richest agricultural portion of the State, was estimated at no less than three-fourths of the entire wheat crop! From what inquiries your committee have been able to make, the loss on the wheat crop alone, of this State, for the last four years, is not less than \$20,000,000.

Your committee would be most happy to believe that this enormous loss springs from causes evanescent in their nature, and destined speedily to pass away, to return nevermore. But your committee are fearful that these vast losses "are but the

beginning of sorrow," and [that the improvidence which laid open our fields to that scourge of God, the S. W. wind, by the wholesale destruction of our forests, is now only beginning to reap the fruit of that want of forethought, and that these losses can be avoided only by restoring, in part at least, the natural barriers against the wind.

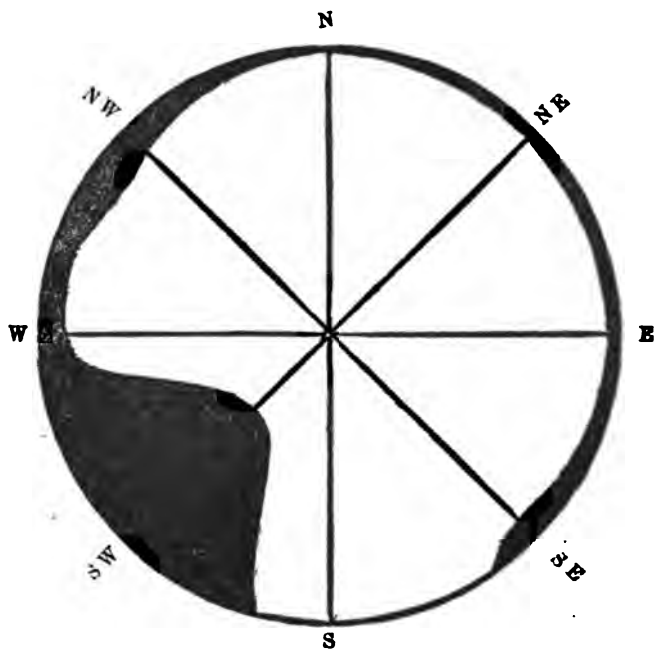
If it is conceded that protection from the wind is desirable the practical question arises from which wind should the farmer especially seek to guard himself? This question may require different answers in different parts of the State, but for the central part of the State, the meteorological observations taken at the State Agricultural College, enable your committee to answer this important question. From these observations it appears that for the winter months, for four years, the wind from W. was 169 times, N. W. 96, N. 24, N. E. 52, E. 60, S.-E. 132, S. 30, and S. W. 369. A diagram is presented, in which the darkly shaded portion will present to the eye at a glance the comparative frequency of the wind from the different points of the compass. These observations of the winds it will be understood, were made three times a day.

WIND ROSETTE FOR MONTHS OF DECEMBER, JANUARY AND FEBRUARY, FOR  
THE YEARS 1864, 1865, 1866, AND JANUARY, 1867.



#### COLD WINDS.

But not only is our S. W. wind the most prevalent wind in the central part of our State, but, also, it is during our cold season our coldest wind. Thus, for the four years past, the Register Thermometer at the Agricultural College has indicated a temperature at or below zero 54 times, the observations being made once a day. Of these 54 observations, the air was still or variable, 9 times. Wind from W. 3 times; from N. W. 5 times; from N. once; from N. E. twice; from E. twice; from S. E. 4 times; from S. none; from S. W. 28 times. The diagram marked Winter Rosette, presents a comparative view of the frequency of winds in any point of the compass, with the thermometer at or below zero of Farenheit's Thermometer.



WINTER ROSETTE.

- 1 N., average  $-11^{\circ}$ .
- 2 N. E., average  $-7^{\circ}$ .
- 2 E., average  $-7^{\circ}$ .
- 4 S. E., average  $-3^{\circ}$ .
- 23 S. W., average  $-8^{\circ}$ .
- 3 W., average  $-3\frac{1}{2}^{\circ}$ .
- 6 N. W., average  $-6^{\circ}$ .
- 9 No wind, or variable, average  $-5^{\circ}$ .

54 times in all the thermometer below zero

Both of these diagrams show how fearful a scourge is this S. W. wind, in the central part of our State, and answer with remarkable distinctness the question, from what wind should the farmer especially seek to guard himself?

That it is shelter from this wind that is needed to protect the farmer and fruit-grower, is shown by several facts. It is matter of frequent observation in this vicinity that the peach tree growing in a situation protected from the S. W. wind frequently produces fruit, while trees not thus protected are

usually unfruitful. Some remarkable instances have been noticed in this city. A peach tree in Kalamazoo city was in large part exposed to the action of this wind, and produced no fruit, but one branch which lay upon the roof of an out-house and was covered with snow during a few very cold nights produced an abundant crop of fruit.

Even very slight barriers exert a surprising influence in guarding from the effect of wind. Thus Becquerel states, "In the valley of the Rhone, a simple hedge, two metres in height, is a sufficient protection for a distance of twenty-two metres," or a wind-break will protect a width of space eleven times its height. This is strikingly shown in the case of the wheat crop in this State. Mr. Lyon states in Report of the Secretary of the State Board of Agriculture for 1865, page 252: "I is presumed that during the season alluded to, few of us failed to observe that even the protection of a ridge or dead-furrow, running north and south through a field of wheat, was sufficient to preserve a streak of green, where all else was brown and bare; and that the shelter of a fence was the means of preserving a still greater breadth; while the interposition of a hedge of oak grubs or a body of timber invariably secured the preservation of a fair crop over a still greater breadth of ground, often amounting to an entire field."

In many parts of this State, it is found that if farmers harrow in their wheat, and then roll the ground smooth, the crop is usually an entire failure; if harrowed and not rolled, a partial crop is secured, but if plowed in with gang plows, the furrows running north and south, a good crop is almost certain. The reason why a good crop is secured when protected from the wind, is not hard to find. In the first place, it is shielded from the bitter biting S. W. wind; and in the second place, it is protected by a mantle of snow which lodges in the furrows or behind the fence and timber belts, and thus covers up the wheat from the destroying cold, for God has made no warmer winter covering for the cold and freezing earth than the snow. Whenever the ground is covered with this mantle,

dropped from Heaven, the vegetation is safe from the deadly cold. But we are not sure of the presence of this covering, nor of its equal distribution over the surface of the ground so long as land is laid open to the sweep of the fierce S. W. wind, or even if it falls, it may rapidly disappear before the wind, either being swept off bodily, or evaporated in the rapidly changed and dry air of the winter winds.

#### DEPREDACTIONS OF INSECTS.

Many countries are fearfully wasted by the depredations of insects. Thus the locust and grasshopper have, for time immemorial, devoured the vegetation of some countries at the east. In certain portions of our own country the grasshopper threatens to be as great a scourge, as in Asia. The chinch-bug of the prairies, if not as widely known, is equally dreaded. Other forms of insect life will probably appear to scourge the land, from which is driven out the forest, and the forest-loving birds. The following extract from Marsh, indicates an additional control of insect life connected with the forest: "The insects most injurious to rural industry do not multiply in or near the woods. The locust which ravages the east with its voracious armies, is bred in vast open plains, which admit the whole heat of the sun to hasten the hatching of the eggs, gather no moisture to destroy them, and harbor no bird to feed upon the larvæ. It is only since the felling of the forests of Asia Minor and Cyrene, that the locust has become so fearfully destructive in those countries; and the grasshopper which now threatens to become almost as great a pest to the agriculture of some North American soils, breeds in seriously injurious numbers only when a wide extent of surface is bare of woods."—*Man and Nature*, p. 291.

Your committee have thus called the attention of this honorable body to some of the results of this reckless and violent disturbance of the forest economy of our State. Your committee are painfully conscious that they have only very imperfectly and inadequately presented a most important subject, but they hope public attention will be aroused on a subject so



intimately connected with the future welfare of our State, and that our intelligent farmers and land owners, may devise some means to stay a great and growing evil. It is time that unthinking destruction should stay its ruthless hand, and preserve for future generations a portion of the blessings we so richly enjoy. Cicero describes his ideal old man as busy in planting trees, who, when asked why he planted trees whose fruit he would never taste, replied "Others planted, and I have eaten the fruit: why should not I plant for the generations to come?" The forests of our noble State were planted by our father, God, and why should we not preserve a portion at least for the generations coming after us, or when our wasteful improvidence has stripped the earth of this inestimable blessing, why should we not restore in part, that other generations may receive a portion of that which was too bountifully bestowed upon us?

The necessity for the landowners of this State to adopt some efficient means for the preservation of our forests, becomes evident from another consideration. Among other nations, large tracts of land are kept in forest, either as parks and game preserves, or as government reserves for timber. These are the property of the State, and are carefully preserved from destruction, or re-planted as fast as the timber is removed. The nobility also take a just pride in their parks and forests. In these ways large portions of many countries are preserved in forest. But there are no such conservative influences at work in our State. The Government has no permanent timber reserves, parks or game forests. The care and preservation of the forests are entirely in the hands of individuals, and hence the greater responsibility resting upon them. The only *landed nobility* in America is the *farmer*, and he must preserve his parks and forests, or else forfeit his title of a *noble-man*!

#### REMEDIAL MEASURES.

The task of remedying these evils, by legislation, is a subject beset with many difficulties. The title of the great body of the

land resting with individuals *in fee simple*, government can exercise over it no direct control whatever, and the ends to be sought by legislation on this subject must be secured by indirect methods. The Legislature have no constitutional power to forbid the destruction of forests on lands whose absolute ownership is vested in individuals, and this inability to control the individual in the management of his private affairs, is inherent in our American idea of the liberty of the citizen. In countries under despotic sway, direct legislation and control over the cutting of forests are matters of frequent occurrence, and it is acknowledged that such interference has been a good in France. Let it be for Americans to show that liberty and intelligence can accomplish all the good that despotism can hope to secure, and without its ponderous machinery.

Among the methods suggested for preserving a portion of our forest, and especially for controlling the action of the wind, it has been proposed to exempt timber belts of moderate width, running north and south, from all taxation while left in forest. This, if generally adopted by our farmers, would unquestionably be productive of much good, but it is open to objection.

A more feasible method is legislation which will remove the necessity for such large use of timber in fences. Probably three-fourths of all the fences in this State are wasted in the effort to *fence out stock*, for one-fourth of our present fences would better accomplish all the good sought, if used to *fence in the stock*.

In a newly settled country the advantages of free pasturage in the woods, and the small extent of arable ground, with the abundance of rail timber, have led the inhabitants to let their stock run at large and to fence in their fields. But in a thickly settled region, the disparity between the forest lands and arable grounds and meadows is constantly increasing until the only grounds which lie in commons are the highways, and the pasturage of this scanty surface is only secured by keeping up a vast amount of fence, and thus the farmers are heavily taxed to *fence in their farms in order to fence out their*

*roads.* If the farmers, on the other hand, would fence in the comparatively small amount of land used for pasture, and leave all the rest of their farm unenclosed, the larger part of the timber now used in fencing would be saved; one heavy drain upon our forests would be stopped, and a heavy tax upon the farmer would be removed. This system would be practicable only in the older settled portions of our State. To compel the settler in the dense forests of our State to enclose pasture for his stock while thousands of acres of forest afford excellent grazing free of cost, would be manifestly oppression, and in such a community such a law if enacted would remain a dead letter.

But even in our older settled counties, where it might seem desirable that stock should be restrained from running at large, if one township should shut up its stock in pastures, and leave the other fields open, and an adjoining township should allow its stock to run at large, the stock of this second township might stray into the tempting fields of this first township, and much evil result.

Your committee propose therefore, that the question of what stock shall run at large in any county of this State for any ensuing year, shall be settled by a vote of the Board of Supervisors of that county, at their meeting in October, at which time the Board of Supervisors may decide whether horses, cattle, sheep and swine, shall be permitted to run at large the next year.

If no vote is taken at such meeting of the Board of Supervisors, or if any or all these classes of animals are not permitted to run at large for the ensuing year, then in that county, for such animals, for such year, the law of the State of New York on this subject, shall be in full force.

A uniformity on this subject will thus be secured in each county for any year, while the inhabitants of the different sections can restrain their stock or permit them to run at large, as they shall find conducive to their interests. The exclusion of

cattle and swine from the highway will be a favor to those who wish to line the roadside with shade trees.

#### SHADE TREES BY THE ROADSIDE.

The section lines of this State are, usually, and the quarter section lines are frequently the lines of highways. This generally brings the lines of our highways within a mile of each other each way, and frequently within half that distance. In this way our State is checkered with roads. Over these lines of highways we can exercise direct legislation, and this is the only direct method by which we can reach this subject. If, throughout our State, these roads were lined on each side with shade trees, the winds would be greatly mitigated in their force, and a serious and constantly increasing evil would be abated in part. The roads themselves, in many instances, would be benefitted by such lines of shade trees; the comfort of travelers and teams secured, and the beauty of the country enhanced.

As our highways are sixty-six feet wide, if eight feet on each side were planted with forest trees, ample space for roadway would still be left. There would be but small inducement to plant shade trees in the highway, unless cattle were excluded therefrom, and the trees thereby preserved from destruction. Trees thus planted should be guarded by stringent legislation, from willful or malicious injury in any way, whether by cutting or girdling the same, or by hitching horses or cattle to them; and overseers of highways and all other persons should be forbidden to cut or remove any trees planted at a distance equal to, or exceeding twenty-five feet from the center of the highway.

To secure the planting of such shade trees it might be declared lawful for any person to plant trees along his own premises in the edge of the highway; or any person might be authorized to pay a certain per centage of his highway tax by planting trees in the border of the highway adjacent to his premises; or the overseer of the highway might cause a certain per centage of the highway tax to be so expended.

If by these or similar means, the highways of our State could be permanently flanked by compact lines of forest trees, an important and valuable restraint would be placed upon the sweep of our pitiless winds; and although the means may at first seem slight, and inadequate to produce any sensible result, yet their general adoption would unquestionably produce a marked effect in a few years.

Your committee have freely availed themselves of the valuable information contained in the work by Hon. Geo. P. Marsh, "Man and Nature." We wish this valuable book could be placed in the hands of every farmer and land owner in our State.

Your committee ask leave to introduce two bills, viz:

A bill to prevent animals from running at large in the public highways, except in certain cases;

Also,

A bill relating to the planting of trees in the highways, being a bill to amend section 1111, being section 2, of chapter XXV. of the compiled laws, and to add two new sections thereto;

And ask to be discharged from the further consideration of the subject.

R. C. KEDZIE,  
J. J. WOODMAN,  
O. H. FELLOWS.

LANSING, Feb. 12, 1867.

Report accepted and committee discharged.

The first named bill was read a first and second time by its title, and,

On motion of Mr. Kedzie,

Referred to the committee on agriculture.

The second named bill was read a first and second time by its title, and,

On motion of Mr. Kedzie,

Referred to the committee on the judiciary.

Mr. Lovell moved that 1,500 copies of the report be printed for the use of the House.

Mr. White moved to lay the motion to print on the table;

Which motion did not prevail.

The question being upon the motion to print 1,500 copies,

The motion prevailed.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:}

SENATE CHAMBER,  
Lansing, Feb. 11, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 86, entitled

A bill to provide for filling vacancies in the office of overseer of highways;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, February 11, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following joint resolution:

Senate manuscript joint resolution, entitled

Joint resolution asking Congress for an appropriation in money to improve the harbor of White river, in Muskegon county, State of Michigan;

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The joint resolution was read a first and second time by its title, and referred to the committee on harbors.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, February 11, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 25, entitled

A bill to amend section 10, of act No. 188, of session laws of 1861, entitled an act to re-organize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture,

And to inform the House that the Senate has amended the same;

1. By striking out in line 6, of recited section 10, the word "five," and inserting in lieu thereof, the word "six;" also by striking out in line 7 of said section, the word "one," and inserting in lieu thereof the word "two;"

2. By adding at the end of section 10, the following:

"One thousand copies of the same to be distributed by the Secretary of the said State Board of Agriculture, as the Board shall direct, and the remaining three thousand copies of the same shall be distributed by the first of June, in each year, by the Secretary of the Board to the Secretaries of all the various county and district Agricultural Societies, as equally as may be, according to the population of said counties, to be by said Secretaries distributed among the various viewing committees of such county and district fairs, giving one volume of such report to each of said committees who shall be present, and discharge the duties of his office on the days of

the county fairs; and if, after distributing to the said committees, there shall be any of said report left in the said Secretaries hands, they shall distribute them as equally as may be, among the farmers of their respective counties;”

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Ball moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Healy,	Mr. Randall,
Alexander,	Hill,	Robinson,
Ball,	Holt,	Rockwood,
Benedict,	Hopkins,	Schars,
Bonine,	Howard,	Shepherd,
Brownell,	Huckins,	Shetterly,
A. S. Brown,	Jewell,	Slayton,
C. R. Brown,	J. H. Jones,	L. Smith,
W. G. Brown,	Kedzie,	E. Spalding,
Canniff,	Kingsbury,	P. S. Spaulding,
Camburn,	Locke,	Spence,
Chauvin,	Lockwood,	Stevens,
Corey,	Lovell,	Sweezey,
Crossman,	Mallet,	Swift,
Deane,	Mason,	Taylor,
Dunlap,	McCutcheon,	Tompkins,
Eck,	McKernan,	Upton,
Emery,	Mead,	Walker,
Fellows,	Mickley,	Warner,
Fenton,	Newcombe,	Wells,
Funston,	L. D. Osborn,	White,
Gallup,	W. H. Osborn,	Wilcox,
Glavin,	Packard,	Wilson,
Greenfield,	F. Parsons,	Wright,
Grier,	S. T. Parsons,	Speaker <i>pro tem.</i> ,
Haven,	Parmelee,	



## NAYS.

Mr. Barter,  
Beal,  
Dusseau,  
Miles,  
Murray,

Mr. Newell,  
Parker,  
Pearl,  
Sexton,

Mr. C. C. Smith,  
R. B. Smith,  
Stannard,  
Woodward,

13

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. S. T. Parsons moved to reconsider the vote by which the House passed House bill No. 37, entitled

A bill to amend section 6, of chapter 24, the same being section 1103 of the compiled laws, relative to the repair and reconstruction of bridges;

Which motion prevailed.

The question being upon the passage of the bill,

Mr. S. T. Parsons asked and obtained the unanimous consent of the House to amend the bill by striking out all of lines 1 and 2, of section 6, and inserting in lieu thereof the following:

"Sec. 6. If any bridge over any stream intersected by a highway in any township in this State, or in any village incorporated under the general law for the incorporation of villages, or in any city or village, not having by the terms of its charter the exclusive control of the construction and repair of any such bridges, and not being within the corporate limits, of any city or village above excepted, has been within the last year, or shall here."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,  
Alexander,  
Ball,  
Barber,  
Beall,  
Benedict,  
Bonine,  
Brownell,

Mr. Hawley,  
Healy,  
Hill,  
Holt,  
Hopkins,  
Howard,  
Jewell,  
J. H. Jones,

Mr. Randall,  
Robinson,  
Rockwood,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,

A. S. Brown,	Kingsbury,	L. Smith,
C. R. Brown,	Locke,	R. B. Smith,
W. G. Brown,	Lockwood,	E. Spalding,
Canniff,	Lovell,	P. S. Spaulding,
Camburn,	Mallet,	Stannard,
Chauvin,	Mason,	Stevens,
Corey,	McCutcheon,	Sweezy,
Crossman,	McKernan,	Swift,
Deane,	Mead,	Taylor,
Dunlap,	Mickley,	Tompkins,
Dusseau,	Miles,	Upton,
Eck,	Murray,	Walker,
Emery,	Newcombe,	Warner,
Fellows,	Newell,	Wells,
Fenton,	L. D. Osborn,	White,
Funston,	W. H. Osborn,	Wilcox,
Gallup,	Packard,	Willard,
Glavin,	Parker,	Wilson,
Greenfield,	S. T. Parsons,	Woodward,
Grier,	Parmelee,	Wright,
Haven,	Pearl,	Speaker pro tem,

## NAYS.

Title agreed to.

On motion of Mr. Dusseau,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Walker moved that the committee of the whole be discharged from the further consideration of House bill No. 23, entitled

A bill to authorize the Detroit and Saline plank road company to vacate a portion of its road;

Which motion prevailed.

On motion of Mr. Walker,

The bill was placed on the order of third reading.

Mr. Walker moved that the committee of the whole be discharged from the further consideration of House bill No. 124, entitled

A bill relative to the Supreme Court;

Which motion did not prevail.

Mr. Deane moved to discharge the committee of the whole on the further consideration of House bill No. 133, entitled A bill to change the name of the township of Benona to that of Shelby, and the name of the township of Leroy to that of nona;

Also, House bill No. 156, entitled

A bill to organize the township of Grafton, in the county of awaygo;

Also, House joint resolution No. 12, entitled

Joint resolution authorizing the Governor to relinquish the right of the State to certain lands to the United States;

Which motion did not prevail.

Mr. L. D. Osborn gave notice that on some future day he would ask leave to introduce

A bill to provide for the reassessment of certain unpaid taxes of the township of Penn, in the county of Cass, for the year 185.

Mr. R. B. Smith gave notice that on some future day he would ask leave to introduce

A bill to appropriate the non-resident highway tax of the town of Lyons to the constructing a road from Muir to Lyons.

Mr. Spence offered the following:

*Resolved*, That the use of this Hall be granted for the purpose of an address by Prof. C. J. Hempel, of Grand Rapids, to be delivered this evening, before the members of the Legislature; Which was adopted.

Mr. Lockwood moved to take from the table the enacting clause of House bill No. 67, entitled

A bill to provide for the appointment of emigrant agents by the several counties, and to provide for their compensation by duties upon actual settlers in such counties;

Which motion prevailed.

Mr. Pearl moved to reconsider the vote by which the House concurred in the action of the committee of the whole, in striking out all after the enacting clause of the bill;

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was laid on the table.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

Joint resolution asking Congress for a grant of land, to aid in the construction of a railroad from Menominee, in Menominee county, to the village of Houghton, in Houghton county;

Also,

A bill to revise the charter of the village of Houghton, in Houghton county.

Mr. Walker moved to discharge the committee of the whole from the further consideration of House bill No. 128, entitled

A bill relative to the Supreme Court;

Which motion prevailed.

On motion of Mr. Walker,

The bill was made the special order for to-morrow afternoon at two o'clock.

Mr. Gallup offered the following:

*Resolved*, That the committee of the whole be discharged from the further consideration of House joint resolution No. 13, entitled

Joint resolution requesting our Senators and Representatives in Congress to use all honorable means to obtain the passage of a judicious and effective protective tariff on importations of copper, iron, lumber and wood, and articles manufactured therefrom;

Which was adopted.

On motion of Mr. Gallup,

The joint resolution was placed on the order of third reading.

Mr. Hawley moved to discharge the committee of the whole from the further consideration of Senate bill No. 61, entitled

A bill to regulate drayage to and from railroads;

Which motion prevailed.

Mr. Packard gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Laketon, Allegan county, to raise money to pay bounties to volunteer soldiers to suppress the late rebellion.

Mr. Greenfield gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 339, of the session laws of 1865, being an act to amend an act entitled an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, approved March fifteenth, eighteen hundred and sixty-one.

Mr. E. Spalding gave notice that on some future day he would ask leave to introduce

A bill to regulate the fare for travel upon the several railroads in the State of Michigan.

Mr. Holt offered the following:

*Resolved*, That the committee on harbors be discharged from the further consideration of Senate manuscript joint resolution, entitled

Joint resolution asking Congress for an appropriation in money to improve the harbor of White River, in Muskegon county, State of Michigan;

Which was adopted.

On motion of Mr. Holt,

The joint resolution was placed on the order of third reading,

Mr. R. B. Smith, previous notice having been given, and leave being granted, introduced

A bill to incorporate the village of Hubbardston.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Locke, previous notice having been given, and leave being granted, introduced

A bill granting swamp lands to the county of Shiawassee, to aid in cutting drains through the Whortleberry swamp in the township of Rush, in said county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Hopkins, unanimous consent being given, introduced

A bill to establish the place for holding the next township meeting in the township of Grand Haven, in the county of Ottawa.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Funston previous notice having been given, and leave being granted, introduced

A bill to provide for the construction of certain drains or ditches, in the counties of Lapeer and St. Clair, and making an appropriation of State swamp lands to aid in the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Camburn, unanimous consent being given, introduced

A bill to amend section one, of an act to provide for the drainage and reclamation of swamp lands, by means of a road to be known as the Montcalm and Gratiot State road, approved March 18th, 1865.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Brownell, previous notice having been given, and leave being granted, introduced

A bill to authorize school district number six (6), in the township of Metamora, in the county of Lapeer, to borrow money to build a school-house.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend section 7, of chapter 94, of the revised statutes, being section 2883, of the compiled laws, in regard to special administrators.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Barber, previous notice having been given, and leave being granted, introduced

A bill to amend sections 1135, 1136 and 1137, of the compiled laws, being sections 4, 5 and 6, of chapter 38, of said laws, in reference to the recording of town plats, and the vacating of the same.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. L. Smith, previous notice having been given, and leave being granted, introduced

A bill to amend section one, of an act to provide for the laying out and establishing a State road, and appropriating certain swamp lands for the construction of the same, approved February 22, 1865.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Pearl, unanimous consent being given, introduced

A bill appropriating State swamp lands, to aid in completing the Greenbush and Gratiot State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Healy, unanimous consent being given, introduced

A bill to amend section number one, of act No. 236, of the session laws of 1863, being an act to provide for the protection of game in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Sexton, previous notice having been given, and leave being granted, introduced

A bill to amend section three, of an act entitled an act relative to laying out, altering and discontinuing highways, being act No. 163, of the session laws of 1861.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Healy, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend act No. 61, of the session laws of 1863, entitled an act to authorize the building of a bridge across the Menominee river, and to appropriate six sections of swamp lands to the county of Menominee, for the purpose of building the same, approved March 4th, 1865, by adding two new sections thereto.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. F. Parsons, previous notice having been given, and leave being granted, introduced

A bill to authorize union school district No. 5, of the village of Burr Oak, St. Joseph county, to issue bonds.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. R. B. Smith, unanimous consent being given, introduced

A bill to amend an act entitled an act to vacate the present village plat of the village of Hubbardston, in the county of Ionia, and to legalize and establish a new plat thereof, approved March 2, 1865.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to authorize the mutual fire insurance companies of this State to insure against loss or damage to property by lightning and tornadoes.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill requiring railroad companies to fence all railroads in this State.

#### THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 93, entitled

A bill to provide for the laying out and establishing a State road, to be known as the extension of the Englishville and Cro-



ton State road, and appropriating certain swamp lands for the construction of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Randall,
Ball,	Hopkins,	Robinson,
Barber,	Howard,	Rockwood,
Beall,	Huckins,	Shepherd,
Benedict,	Jenness,	Shetterly,
Bonine,	Jewell	Slayton,
Brownell,	J. H. Jones,	O. O. Smith,
A. S. Brown,	Kingsbury,	L. Smith,
O. R. Brown,	Locke,	R. B. Smith,
W. G. Brown,	Lockwood,	E. Spalding,
Canniff,	Lovell,	P. S. Spaulding,
Camburn,	Mallet,	Spence,
Chauvin,	Mason,	Stannard,
Corey,	McCutcheon,	Stevens,
Crossman,	McKernan,	Swezey,
Deane,	Mead,	Swift,
Dussean,	Mickley,	Taylor,
Eck,	Miles,	Tompkins,
Fellows,	Murray,	Upton,
Fenton,	Newcombe,	Walker,
Funston,	Newell,	Warner,
Gallup,	L. D. Osborn,	Wells,
Glavin,	W. H. Osborn,	White,
Greenfield,	Packard,	Wilcox,
Grier,	Parker,	Willard,
Haven,	F. Parsons,	Wilson,
Hawley,	S. T. Parsons,	Woodward,
Healy,	Parmelee,	Wright,
Hill,	Pearl,	Speaker <i>pro tem.</i> ,

87

## NAYS.

Mr. Sexton,

1

Title agreed to.

Senate bill No. 61, entitled

A bill to regulate drayage to and from railroads,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Randall,
Alexander,	Hopkins,	Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Sexton,
Beall,	Jenness,	Shepherd,
Benedict,	Jewell,	Shetterly,
Bonine,	J. H. Jones,	Slayton,
A. S. Brown,	Kingebury,	C. C. Smith,
O. R. Brown,	Locke,	L. Smith,
W. G. Brown,	Lockwood,	E. Spalding,
Canniff,	Lovell,	P. S. Spaulding,
Camburn,	Mallet,	Spence,
Chauvin,	Mason,	Stannard,
Corey,	McOntcheon,	Stevens,
Crossman,	McKernan,	Sweezy,
Deane,	Mead,	Swift,
Dunlap,	Mickley,	Taylor,
Dussean,	Miles,	Tompkins,
Eck,	Murray,	Upton,
Emerson,	Newcombe,	Walker,
Fellows,	Newell,	Warner,
Fenton,	L. D. Osborn,	Wells,
Funston,	W. H. Osborn,	White,
Gallup,	Packard,	Wilcox,
Glavin,	Parker,	Willard,
Greenfield,	F. Parsons,	Wilson,
Grier,	S. T. Parsons,	Woodward,
Haven,	Parmelee,	Wright,
Hawley,	Pearl,	Speaker <i>pro tem.</i>
Healy,		8

## NAYS.

Title agreed to.

Senate bill No. 77, entitled

A bill to amend section nine, of chapter ninety-eight, of the revised statutes of eighteen hundred and forty-six, being section two thousand nine hundred and ninety nine of the compiled laws, relative to the distribution and partition of estates,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Healy,	Mr. Pearl,
Alexander,	Hill,	Randall,

Ball,  
Barber,  
Beall,  
Benedict,  
Bonine,  
Brownell,  
A. S. Brown,  
O. R. Brown,  
W. G. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Crossman,  
Deane,  
Dunlap,  
Dusseau,  
Eck,  
Emerson,  
Fellows,  
Fenton,  
Funston,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,  
Hawley,

Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Mallet,  
Mason,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
L. D. Osborn,  
W. H. Osborn,  
Packard,  
Parker,  
F. Parsons,  
S. T. Parsons,  
Parmelee,

Robinson,  
Rockwood,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
O. O. Smith,  
L. Smith,  
R. B. Smith,  
E Spalding,  
P. S. Spaulding,  
Stannard,  
Stevens,  
Sweezy,  
Swift,  
Taylor,  
Tompkins,  
Upton,  
Warner,  
Wells,  
White,  
Wilcox,  
Willard,  
Wilson,  
Woodward,  
Wright,  
Speaker *pro tem.*,

89

NAYS.

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Title agreed to.

On motion of Mr. Newcombe,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Wilcox,

The rule requiring the second and third reading of bills to be on different days, was suspended, and House manuscript bill, entitled

A bill to provide for the payment of an indebtedness incurred by certain of the citizens of the township of Madison, in the county of Lenawee, to pay bounties to volunteers, to aid in the suppression of the rebellion,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Grier,	Mr. Randall,
Alexander,	Haven,	Robinson,
Ball,	Healey,	Rockwood,
Barber,	Holt,	Sexton,
Beall,	Hopkins,	Shepherd,
Benedict,	Howard,	Shetterly,
Bonine,	Jenness,	Slayton,
Brownell,	Jewell,	C. C. Smith,
A. S. Brown,	J. H. Jones,	L. Smith,
C. R. Brown,	Kingsbury,	R. B. Smith,
W. G. Brown,	Locke,	P. S. Spaulding,
Canniff,	Lockwood,	Spence,
Camburn,	Mallet,	Stannard,
Chauvin,	Mason,	Stevens,
Corey,	McKernan,	Swezey,
Crossman,	Mead,	Swift,
Dunlap,	Mickley,	Taylor,
Dusseau,	Miles,	Tompkins,
Eck,	Newcombe,	Upton,
Emerson,	Newell,	Walker,
Emery,	Packard,	Warner,
Fellows,	Parker,	Wells,
Funston,	F. Parsons,	Wilcox,
Gallup,	S. T. Parsons,	Wilson,
Glavin,	Parmelee,	Woodward,
Greenfield,	Pearl,	Speaker <i>pro tem</i> ,

78

## NAYS.

Mr. Lovell,	Mr. Murray,	Mr. Wright,
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Title agreed to.

On motion of Mr. Wilcox,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Miles,

The House took a recess until two o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem.*

Roll called; quorum present.

## SPECIAL ORDER OF THE DAY.

On motion of Mr. Hopkins,

The House went into committee of the whole, on the special order,

Mr. Miles in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 64, entitled

A bill to extend aid to the University of Michigan;

Also, the petition of E. A. Lodge, Allan Sheldon, Dr. William Hogarth, Colin Campbell, William Phelps, Henry Barns, Waldo M. Johnson, R. R. Elliott, M. W. Field and 88 others, in regard to granting the University an appropriation;

Have made an amendment to the bill, and have directed their chairman to report the bill back to the House.

M. H. MILES, *Chairman.*

Report accepted.

Mr. S. T. Parsons moved that the House do not concur in the adoption of the amendment made to the bill by the committee.

Mr. Hawley demanded the yeas and nays;

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Barber,	Mr. Kedzie,	Mr. O. C. Smith,
Beall,	Lovell,	R. B. Smith,
Bonine,	McKernan,	E. Spalding,
W. G. Brown,	Mead,	Spence,
Canniff,	Miles,	Stevens,
Corey,	L. D. Osborn,	Sweezey,
Crossman,	Packard,	Swift,

Emerson,  
Emery,  
Fellows,  
Haven,  
Hill,  
Holt,

F. Parsons,  
S. T. Parsons,  
Parmelee,  
Robinson,  
Shetterly,  
Slayton,

Walker,  
Warner,  
White,  
Willard,  
Wilson,  
Speaker *pro tem.*,

39

## NAYS.

Mr. Alexander,  
Ball,  
Benedict,  
Boies,  
Brownell,  
A. S. Brown,  
C. R. Brown,  
Oamburn,  
Chauvin,  
Deane,  
Dunlap,  
Dusseau,  
Funston,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Hawley,

Mr. Healy,  
Hopkins,  
Howard,  
Jenness,  
Jewell,  
J. H. Jones,  
Kingsbury,  
Locke,  
Lockwood,  
Mallet,  
Mason,  
McCutcheon,  
Mickley,  
Murray,  
Newcombe,  
Newell,  
W. H. Osborn,

Mr. Parker,  
Pearl,  
Randall,  
Rockwood,  
Schars,  
Sexton,  
Shepherd,  
L. Smith,  
P. S. Spaulding,  
Stannard,  
Taylor,  
Tompkins,  
Upton,  
Wells,  
Wilcox,  
Woodward,  
Wright,

52

Mr. Newcombe moved to amend the bill, by adding thereto the following:

"To be used as a building fund for said University, and for no other purpose: *Provided*, That there shall be collected from all foreign students, presenting themselves for any department of said University, for the general fund of said University, an initiation fee double that now charged the same class of students;"

Which motion did not prevail.

Mr. Boies moved to strike out in line 3, of section 1, the words "one-twentieth," and insert the words "one-fortieth," in lieu thereof;

Which motion did not prevail.

Mr. Swift moved to amend the bill by inserting at the end of 2d line of section 1, the words "for a term of four years;"

and in line four, after the word "property," the words "and one-fortieth of a mill on each dollar of said taxable property, each subsequent year;"

Which motion did not prevail.

The bill was then placed on the order of third reading.

On motion of Mr. Bonine,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Wednesday, February 13, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Spencer.

Roll called: -quorum present.

Absent at roll call, without leave, Messrs. Benedict and C. R. Brown.

Mr. Glavin asked and obtained leave of absence for Mr. C. R. Brown, until Friday.

Mr. Dusseau asked and obtained leave of absence for Mr. Benedict, until to-morrow.

#### PRESENTATION OF PETITIONS.

By Mr. McKernan: petition of the president and trustees of the village of Houghton, and 21 other citizens, asking for a village charter.

Referred to the committee on banks and incorporations.

By Mr. Kingsbury: petition of James Lyman and 16 others, citizens of Kent county, praying that the Legislature will not grant the University any appropriation until she has complied with the law of the State, which provides that there shall always be at least one professor of Homeopathy in the department of medicine, or that if the Legislature shall grant the University the appropriation she asks for, it be made conditional to her filling, in good faith, the chair of Homeopathy in said University.

By Mr. Packard: petition of David D. Davis and 88 others, citizens of Allegan county, for the same purpose.

By Mr. Jenness: petition of H. W. Stevenson and 51 others, citizens of Washtenaw county, for the same purpose.

By Mr. Haven: petition of Edwin C. Wilber and 51 others, citizens of Calhoun county, for the same purpose.

- By Mr. Wright: petition of James Blackwood and 15 others, citizens of Oakland county, for the same purpose.

Referred to the committee on education.

By Mr. Packard: petition of B. T. Lemmon and 22 others, citizens of Laketown, Allegan county, praying for a law to enable them to raise money by tax, to pay bounties to volunteers.

Referred to the committee on bounties.

By Mr. Newcombe: petition of a majority of the common council, the city attorney, and 114 others, citizens of the city of East Saginaw, praying for certain amendments to the charter of said city.

Referred to the committee on banks and incorporations.

By Mr. Lovell: petition of Orra Bush and 29 others, residents of Kalamazoo county, praying that authority be granted Benjamin Hartwell to dam Kalamazoo river, in Charleston, Kalamazoo county.

Referred to the committee on roads and bridges.

By Mr. Tompkins: petition of E. T. Church & Co., Musgrave & Lacey, F. E. Leiter & Co., and 57 others, business firms of the village of Charlotte, Eaton county, praying for the passage of a law making railroad companies liable for losses by fire, in certain cases.

Referred to the committee on the judiciary.

By Mr. Boies: petition of James Patrick, Roswell Lamb, Levi Jennings and 77 others, citizens and tax payers of the township of Rollin, Lenawee county, for the passage of a law extending the time for the collection of drainage taxes in said township.

Referred to the committee on local taxation.

By Mr. Boies: remonstrance of Lorenzo Ames, Moses Jennings and 16 others, citizens of the township of Hudson, county



of Lenawee, against the passage of a law to authorize the setting and protection of shade and ornamental trees in the highways of said township.

Referred to the committee on roads and bridges.

By Mr. Corey: petition of J. D. Van Dyne, C. Walbridge and 125 others, tax payers of the village of Manchester, in Washtenaw county, asking the passage of a law to incorporate said village.

Referred to the committee on banks and incorporations.

By Mr. Holt: petition of W. A. Sherwood and 20 others, citizens of Muskegon county, praying for the organization of the township of Howard, Muskegon county.

On motion of Mr. Holt,

The petition was laid on the table.

By Mr. Crossman: petition J. K. Elmer, John Thompson, John Ferguson and 57 others, citizens and tax-payers of Delhi, Ingham county, asking the State swamp lands in said township to aid in ditching the same.

Referred to the committee on public lands.

By Mr. Barber: remonstrance of A. S. Glessner, Justin Lawyer and 175 others, citizens and tax payers of Branch county, against any appropriation for the Agricultural College.

By Mr. Mickley: remonstrance of Israel S. Hoges, Elisha Luke and 40 others, citizens of Lenawee county, for the same purpose.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for a canal and drain for lowering the waters of Little Black Lake, in the county of Muskegon, and to appropriate swamp lands to aid in the construction thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass.

and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill granting swamp lands to the county of Shiawassee, to aid in cutting drains through the whortleberry swamp, in the township of Rush, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the settlement and drainage of the State swamp lands by actual settlers, and to repeal certain other acts therein named,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. TAYLOR, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to authorize union school district No. 5, in the village of Burr Oak, St. Joseph county, to issue bonds;

Also, the petition of C. A. Ward and 12 others, citizens of said school district, praying for the passage of a law for that purpose,

Respectfully report that they have had the same under consideration, and have directed me to report the bill to the House, with the accompanying substitute therefor, entitled

A bill to authorize school district No. 5, of the township of Burr Oak, St. Joseph county, to borrow money for the purpose therein mentioned,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Barber,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend section three, of an act entitled an act relative to laying out, altering and discontinuing highways, being act number one hundred and sixty-three, of the session laws of eighteen hundred and sixty-one,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend section one, of an act entitled an act to provide for the drainage and reclamation of swamp lands by means of a road to be known as the Montcalm and Gratiot State road, approved March 18th, 1865,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommending that it do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to prevent animals from running at large in the public highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. H. FELLOWS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to provide for the incorporation of the public schools in the village of Hudson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

The Speaker *pro tem.* announced the following:

EXECUTIVE OFFICE,  
Lansing, Feb. 11, 1867. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, the following, to wit:

An act respecting the collection of a certain ditch tax in the township of Olive, in the county of Clinton, for the year 1866, and for the reassessment thereof;

Also,

Joint resolution asking the General Government for an appropriation in money for the construction of a break-water and light-house in the harbor of Port Austin;

Also,

Joint resolution asking the Government of the United States for an appropriation in money for the construction of harbors at the mouths of the Pentwater and Pere Marquette rivers;

Also,

Joint resolution asking Congress for an appropriation in money to aid in the construction of a harbor at New Buffalo, in Berrien county;

Also,

Joint resolution authorizing the Commissioner of the State Land Office to issue a certificate of sale of certain land to Charles McCormick, of Ypsilanti, Michigan;

Also,

Joint resolution asking Congress for an appropriation of money to improve Portage lake and river, in Houghton county;

Also,

Joint resolution asking Congress to make money appropriations for the survey of the harbor of Alpena, at the mouth of Thunder Bay river, and for building a light-house, and making other improvements thereat.

HENRY H. CRAPO.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,  
Lansing, February 12, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 28, entitled

A bill to re organize the fifth, eighth and ninth judicial circuits, and to create the fourteenth judicial circuit,

To which the House made the following amendments:

1. By striking out the word "Barry," in the first line of section 1;

2. By striking out the word "Montcalm," in the first line of section 3, and inserting the word "Barry," in lieu thereof;

3. By inserting the word "Montcalm" after the word "Mackegon," in the first line of section 4;

4. By adding a new section to stand as section 11, and read as follows:

Sec. 14. The judges of the present fifth, eighth and ninth judicial circuits, shall continue to hold their terms throughout their present circuits, until the first day of May next;

5. By changing the number of section 11, to section 12;

And to inform the House that the Senate has amended the second amendment made by the House, by striking out the words "striking out Montcalm and," in which the concurrence of the House is respectfully asked, and to further inform the House that the Senate has non-concurred in the amendment made by the House to section 4; and that the remaining

amendments made by the House, with the amendment to the 3d section as amended by the Senate, have been concurred in.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. Sweezey,

The bill was re-committed to the committee on the judiciary.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
*Lansing, February 12, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following:

1. House joint resolution No. 2, entitled

Joint resolution asking an appropriation of lands by Congress, to endow female colleges in the several States;

2. House joint resolution No. 3, entitled

Joint resolution to protect the fisheries of the State in the Upper Peninsula, to the people of the State and of the United States;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The joint resolutions were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
*Lansing, Feb. 12, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 72, entitled

A bill to amend section 88, of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved Feb. 14, 1858, it being

section 870 of the compiled laws, relative to the duties of county treasurers;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,

Lansing, February 12, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to legalize the tax roll of the township of Massey, in the county of St. Clair, for the year 1866;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,

Lansing, Feb. 12, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 62, entitled

A bill to amend section three, of chapter fifty-five, of the



revised statutes of 1846, being section 2145 of the compiled laws, relative to corporations;

2. Senate bill No. 65, entitled

A bill to amend act No. 266, of the session laws of the year 1865, being an act to authorize any of the townships and cities of the counties of St. Clair, Lapeer, Genesee and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron to some point on the line of the Detroit and Milwaukee railroad, in Shiawassee county;

3. Senate bill No. 66, entitled

A bill to authorize the formation of corporations for the purpose of engaging in commerce and navigation;

4. Senate bill No. 67, entitled

A bill to cede jurisdiction to the United States of America over land to be occupied as sites of light-house buildings in this State;

5. Senate bill No. 70, entitled

A bill to legalize the action of the board of school inspectors of the township of Otsego, in the county of Allegan, in the organization of school districts number five, six and eight, in said township;

6. Senate bill No. 71, entitled

A bill to authorize school district No. 1, of the village and township of Kalamazoo, in the county of Kalamazoo, to convey certain real estate belonging to said school district;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and,

On motion of Mr. Newell,

Was placed on the order of third reading.

The third named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The fourth named bill was read a first and second time by its title, and referred to the committee on federal relations.

The fifth named bill was read a first and second time by its title, and referred to the committee on education.

The sixth named bill was read a first and second time by its title, and referred to the committee on education.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Woodward offered the following:

*Resolved*, That the committee of the whole be discharged from the further consideration of House bill number 120, entitled

A bill to authorize the township of Brooklyn, in the county of Jackson, to vote a tax to pay certain sums of money advanced to said township;

Which was adopted.

On motion of Mr. Woodward,

The bill was placed on the order of third reading.

Mr. Newcombe moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to amend an act, entitled an act to incorporate the city of East Saginaw, approved February 15, 1859, as amended by act No. 56, of the session laws of 1861, approved February 20th, 1861, and act No. 79, of the session laws of 1865, approved March 1st, 1865;

Which motion prevailed.

On motion of Mr. Newcombe,

The bill was recommitted to the committee on banks and incorporations.

Mr. E. Spalding moved that the committee of the whole be discharged from the further consideration of Senate bill No. 55, entitled

A bill to amend an act, entitled an act to provide for the formation of companies to construct plank roads, approved April 8, 1851;

Which motion prevailed.

Mr. E. Spalding moved that the bill be placed on the order of third reading;

Which motion did not prevail.

Mr. Barber moved to reconsider the vote by which the House discharged the committee of the whole from the further consideration of the bill;

Which motion prevailed.

The question recurring upon the motion to discharge the committee of the whole from the further consideration of the bill,

The motion did not prevail.

Mr. Boies gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of drainage taxes in the township of Rollin, in the county of Lenawee.

Mr. Deane offered the following:

*Resolved*, That the committee of the whole be discharged from the further consideration of House bill No. 133, entitled

A bill to change the name of the township of Benona to that of Shelby, and the name of the township of Leroy to that of Benona;

Also, House bill No. 151, entitled

A bill to organize the township of Grafton, in Newaygo county;

Which was adopted.

On motion of Mr. Deane,

The bills were placed on the order of third reading.

Mr. Jenness gave notice that on some future day he would ask leave to introduce

A bill to change the name of Hezekiah Harris to Frank H. Moore.

Mr. Rockwood gave notice that on some future day he would ask leave to introduce

A bill to change the name of the village of Dover, Genesee county, to that of Mt. Morris.

Mr. Slayton gave notice that on some future day he would ask leave to introduce

A bill to amend section 43, of chapter 67, being section 1987 of the compiled laws, so as to require railroad companies to fence all railroads in this State.

Mr. R. B. Smith, previous notice having been given, and leave being granted, introduced

A bill supplementary to an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855, being an act to regulate the carrying of freight and passengers, and to prevent the diverting thereof.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Crossman, previous notice having been given, and leave being granted, introduced

A bill to amend section 26, of chapter 88, and section 16, of chapter 175, of the compiled laws, relative to registers of deeds.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

Joint resolution asking of Congress an appropriation of land to aid in the construction of a railroad from Menominee, in Menominee county, to Houghton, in Houghton county.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to regulate the running of certain trains upon the railroad of the so-called Detroit & Milwaukee railroad company.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend section 1, of an act entitled an act for the better protection of the public lands, and to punish the cutting and carrying away of timber therefrom, approved February 12, 1857, being section 5927, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Warner, unanimous consent being given, introduced

A bill to amend section 3, chapter 5, of an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Corey, unanimous consent being given, introduced

A bill to incorporate the village of Manchester.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Packard, previous notice having been given, and leave being granted, introduced

A bill to authorize the township of Laketown, in the county of Allegan, to raise by tax, a sufficient sum of money to pay arrearages due from the township, for bounties to volunteers.

The bill was read a first and second time by its title, and referred to the committee on bounties.

Mr. Boies, previous notice having been given, and leave being granted, introduced

A bill to authorize the planting and protection of shade and ornamental trees in the highways of the township of Hudson, Lenawee county.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Emery, previous notice having been given, and leave being granted, introduced

A bill to provide for constructing a ditch or drain through a swamp, in Lapeer county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to lay out and aid in the construction of the Clio and Chesaning State road, and to apply swamp lands and non-resident highway taxes, in the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Greenfield, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 339, of the session laws of 1865, the same being an act to amend an act entitled an act to provide for the reclamation and drainage of swamp lands, by means of State roads and ditches.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Gallup, unanimous consent being given, introduced

A bill to attach certain territory to the townships of Sebewaing and Fair Haven, Huron county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Gallup, unanimous consent being given, introduced

A bill to organize the township of Lake, in Huron county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. A. S. Brown, previous notice having been given, and leave being granted, introduced

A bill to authorize the electors of the township of Columbia, in Van Buren county, to raise money by tax to pay Norman H. Adams, James M. Gray and Amos S. Brown, for money ad-

vanced by them, as a committee, to fill the quota of said township.

The bill was read a first and second time by its title, and referred to the committee on bounties.

### THIRD READING OF BILLS AND RESOLUTIONS.

Senate manuscript joint resolution, entitled

Joint resolution asking Congress for an appropriation of money, to improve the harbor of White river, in Muskegon county, State of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Howard,	Mr. Robinson,
Alexander,	Huckins,	Rockwood,
Ball,	Jewell,	Sexton,
Boies,	Kedzie,	Shepherd,
Bonire,	Kingsbury,	Shetterly,
A. S. Brown,	Locke,	Slayton,
W. G. Brown,	Lockwood,	C. O. Smith,
Canniff,	Mallet,	E. Spalding,
Camburn,	Mason,	P. S. Spaulding,
Chauvin,	McCutcheon,	Spence,
Corey,	McKernan,	Stannard,
Crossman,	Mead,	Stevens,
Deane,	Mickley,	Swezey,
Dunlap,	Miles,	Swift,
Eck,	Murray,	Tompkins,
Emerson,	Newcombe,	Upton,
Emery,	Newell,	Van Vleet,
Fellows,	L. D. Osborn,	Walker,
Funston,	W. H. Osborn,	Warner,
Glavin,	Packard,	Wells,
Greenfield,	Parker,	White,
Grier,	F. Parsons,	Willard,
Havert,	S. T. Parsons,	Wilson,
Healy,	Parmelee,	Woodward,
Hill,	Pearl,	Wright,
Holt,	Randall,	Speaker <i>pro tem.</i> ,
Hopkins,		79

#### NAYS.

Mr. Barber,	Mr. Dusseau,	Mr. J. H. Jones,
Beall,	Jenness,	5

Title and preamble agreed to.

House joint resolution No. 10, entitled

Joint resolution requesting our Senators and Representatives in Congress to use all honorable means to obtain the passage of a judicious and efficient protective tariff on importations of copper, iron, lumber and wool, and articles manufactured therefrom,

Was read a third, and pending the taking of the vote on the passage thereof,

Mr. Newcombe asked and obtained the unanimous consent of the House to amend the joint resolution, by inserting the word "salt," in line four, of the first resolution, after the word "lumber."

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Holt,	Mr. S. T. Parsons,
Alexander,	Hopkins,	Parmelee,
Ball,	Howard,	Pearl,
Barber,	Huckins,	Randall,
Beall,	Jenness,	Robinson,
Boies,	Jewell,	Rockwood,
Bonine,	J. H. Jones,	Schars,
A. S. Brown,	Kedzie,	Shepherd,
W. G. Brown,	Kingsbury,	Slayton,
Canniff,	Locke,	L. Smith,
Corey,	Lockwood,	E. Spalding,
Crosetman,	Lovell,	P. S. Spaulding,
Deane,	Mallet,	Stannard,
Dunlap,	Mason,	Stevens,
Eck,	McCutcheon,	Sweezy,
Emerson,	McKernan,	Swift,
Emery,	Mead,	• Tompkins,
Fellows,	Mickley,	Upton,
Funston,	Miles,	Van Fleet,
Gallup,	Murray,	Walker,
Greenfield,	Newcombe,	Warner,
Grier,	L. D. Osborn,	Wells,
Haven,	W. H. Osborn,	White,
Healy,	Packard,	Woodward,
Hill,	F. Parsons,	Speaker



## NAYS.

Mr. Chauvin, Dussean, Glavin, Hawley, Newell,	Mr. Parker, Sexton, Shetterly, C. C. Smith,	Mr. Spence, Willard, Wilson, Wright,
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18

Title and preamble agreed to.

House bill No. 64, entitled

A bill to extend aid to the University of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken, W. G. Brown, Corey, Crossman, Deane, Eck, Emerson, Emery, Funston, Gallup, Greenfield, Grier, Hawley, Hill, Holt, Hopkins, Howard, Jenness,	Mr. Jewell, Kedzie, Mallet, Mason, McKernan, Mead, Miles, Murray, Newcombe, W. H. Osborn, Parker, S. T. Parsons, Parmelee, Pearl, Randall, Rockwood, Schars,	Mr. Sexton, Slayton, L. Smith, Spence, Stannard, Stevens, Sweezy, Swift, Tompkins, Upton, Van Fleet, Walker, Warner, Wells, White, Willard, Wright,
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59

## NAYS.

Mr. Alexander, Bail, Barber, Beall, Boies, Bonine, A. S. Brown, Canniff, Chauvin, Dunlap, Dussean, Fellows, Glavin,	Mr. Haven, Healy, Huckins, J. H. Jones, Kingsbury, Locke, Lockwood, Lovell, McCutcheon, Mickley, Newell, L. D. Osborn,	Mr. Packard, F. Parsons, Robinson, Shepherd, Shetterly, C. C. Smith, R. B. Smith, P. S. Spaulding, Wilcox, Wilson, Woodward Speaker <i>pro tem.</i> ,
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87

Title agreed to.

House bill No. 120, entitled

A bill to authorize the township of Brooklyn, in the county of Jackson, to vote a tax to pay certain sums of money advanced to said township,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Newcombe asked the unanimous consent of the House to amend the bill, by inserting after the word "purposes," in the 11th line of section one, the following:

"*Resolved*, That no part of such tax shall be assessed against, levied upon, or collected from the property of any person, or from the property of the widow or children of any person who, during the late rebellion, served in the military or naval service of the United States."

Objected to by Mr. Swift.

Mr. Newcombe moved to recommit the bill to the committee of the whole;

Which motion did not prevail.

Mr. Hawley asked the unanimous consent of the House to amend the bill as follows:

In line 9, strike out the word "said," where it first occurs, and after the word "meeting" insert the words, "a majority of the;" and after the word "voters," insert the words, "of the township of Brooklyn, in the county of Jackson;" and after the word "vote," insert the words "by ballot."

Objected to by Mr. Haven.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Robinson,
Alexander,	Howard,	Rockwood,
Ball,	Hucking,	Schars,
Brownell,	Jenness,	Sexton,
A. S. Brown,	Jewell,	Slayton,
W. G. Brown,	J. H. Jones,	C. C. Smith,
Canniff,	Kingsbury,	L. Smith,

Chauvin,	Locke,	R. B. Smith,
Corey,	Lockwood,	E. Spalding,
Crossman,	Mallet,	P. S. Spaulding,
Dussean,	Mason,	Stannard,
Eck,	McCutcheon,	Stevens,
Emery,	McKernan,	Sweezey,
Fellows,	Mead,	Swift,
Funston,	Mickley,	Tompkins,
Gallup,	Miles,	Upton,
Glavin,	L. D. Osborn,	Van Fleet,
Greenheld,	W. H. Osborn,	Wells,
Grier,	Packard,	White,
Haven,	Parker,	Wilcox,
Healy,	F. Parsons,	Wilson,
Hill,	Parmelee,	Woodward,
Holt,	Randall,	Speaker <i>pro tem.</i> ,

69

## NAYS.

Mr. Barber,	Mr. Hawley,	Mr. Pearl,
Beall,	Kedzie,	Shepherd,
Boies,	Lovell,	Warner,
Bonine,	Murray,	Willard,
Camburn,	Newcombe,	Wright,
Deane,	Newell,	

17

Title agreed to.

On motion of Mr. Woodward,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. L. Smith,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem.*

Roll called: quorum present.

Mr. Slayton, by unanimous consent, offered the following:

*Resolved*, That whenever, by vote of this House, the committee of the whole, or any standing or select committee, shall have been discharged from the further consideration of any

bill, or joint, or concurrent resolution, and the same has not been considered in committee of the whole, there shall be the same freedom of amendment and debate on said bill or resolution upon its third reading, as in the committee of the whole;

Which was adopted.

#### SPECIAL ORDER OF THE DAY.

On motion of Mr. Hopkins,

The House went into committee of the whole, on the special order,

Mr. Gallup in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 54, entitled

A bill to amend sections 12, 22, 28, 31, 41, 53, 55, 98, 101, 109, 137 and 140, of chapter fifty-eight, of the revised statutes of eighteen hundred and forty-six, being sections 2255, 2265, 2271, 2274, 2284, 2296, 2298, 2322, 2341, 2350, 2352, 2378, 2381, of the compiled laws, and section 14, of an act entitled "an act for the relief of school districts," approved February 1, 1865, being section 2412 of the compiled laws;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

C. H. GALLUP, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Corey,

The House concurred in the amendments made to the bill by the committee, and the bill was placed on the order of third reading.

The House then resumed business under the order of

#### THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 133, entitled

A bill to change the name of the township of Benona, to

that of Shelby, and the name of the township of Leroy, to that of Benona,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Robinson,
Alexander,	Hopkins,	Rockwood,
Ball,	Howard,	Sexton,
Barber,	Huckins,	Shepherd,
Beall,	Jenness,	Shetterly,
Boies,	Jewell,	Slayton,
Bonine,	J. H. Jones,	O. O. Smith,
A. S. Brown,	Kedzie,	L. Smith,
W. G. Brown,	Kingsbury,	R. B. Smith,
Canniff,	Locke,	E. Spalding,
Camburn,	Lockwood,	P. S. Spaulding,
Chauvin,	Lovell,	Stannard,
Corey,	Mallet,	Stevens,
Crossman,	Mason,	Sweezy,
Dusseau,	McOutcheon,	Swift,
Eck,	Mead,	Taylor,
Emerson,	Mickley,	Tompkins,
Emery,	Murray,	Upton,
Fellows,	Newcombe,	Van Vleet,
Fenton,	Newell,	Walker,
Funston,	L. D. Osborn,	Wells,
Gallup,	W. H. Osborn,	White,
Glavin,	Packard,	Wilcox,
Greenfield,	Parker,	Willard,
Grier,	F. Parsons,	Wilson,
Haven,	Parmelee,	Woodward,
Hawley,	Pearl,	Wright,
Healy,	Randall,	Speaker <i>pro tem.</i> ,
Hill,		85

## NAYS.

Mr. Parsons,     Mr. Warner,     2

Title agreed to.

On motion of Mr. Hawley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect,

House bill No. 156, entitled

A bill to organize the township of Grafton, in the county of Newaygo,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Randall,
Alexander,	Hopkins,	Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Shepherd,
Beall,	Jenness,	Shetterly,
Boies,	Jewell,	Slayton,
Bonine,	J. H. Jones,	C. O. Smith,
A. S. Brown,	Kedzie,	L. Smith,
W. G. Brown,	Kingsbury,	R. B. Smith,
Canniff,	Loche,	E. Spalding,
Camburn,	Lockwood,	P. S. Spaulding,
Chauvin,	Lovell,	Stannard,
Corey,	Mallet,	Stevens,
Crossman,	Mason,	Sweezey,
Dunlap,	McCutcheon,	Swift,
Dusseau,	Mead,	Taylor,
Eck,	Mickley,	Tompkins,
Emerson,	Miles,	Upton,
Fellows,	Murray,	Van Vleet,
Fenton,	Newcombe,	Walker,
Funston,	Newell,	Warner,
Gallup,	L. D. Osborn,	Wells,
Glavin,	W. H. Osborn,	White,
Greenfield,	Packard,	Wilcox,
Grier,	Parker,	Willard,
Haven,	F. Parsons,	Wilson,
Hawley,	S. T. Parsons,	Woodward,
Healy,	Parmelee,	Wright,
Hill,	Pearl,	Speaker <i>pro tem.</i>

## NAYS.

Title agreed to.

On motion of Mr. Gallup,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Boies moved to reconsider the vote by which House bill No. 133, entitled

A bill to change the name of the township of Benona to that of Shelby, and the name of the township of Leroy, to that of Benona, was passed;

Which motion was withdrawn.

Senate bill No. 65, entitled

A bill to amend act No. 266, of the session laws of the year 1865, being an act to authorize any of the townships and cities of the counties of St. Clair, Lapeer, Genesee and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron to some point on the line of the Detroit and Milwaukee railroad, in Shiawassee county,

Being under consideration,

On motion of Mr. Newell,

The bill was referred to the committee on internal improvements.

On motion of Mr. L. Smith,

The rule requiring the third reading of bills to be on a day subsequent to that on which it passed the committee of the whole, was suspended, that the other bill on the order of third reading, might be put upon its immediate passage.

Senate bill No. 54, entitled

A bill to amend sections 12, 22, 28, 31, 41, 53, 55, 98, 107, 109 137 and 140, of chapter fifty-eight, of the revised statutes of eighteen hundred and forty-six, being sections 2255, 2265, 2271, 2274, 2284, 2298, 2962, 2322, 2341, 2350, 2352, 2378, 2381 of the compiled laws, and section 14, of an act entitled "an act for the relief of school districts," approved Feb. 7, 1855, being section 2412 of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,  
Bail,  
Barber,  
Beall,  
Boies,  
Bonine,

Mr. Hill,  
Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,

Mr. Pearl,  
Robinson,  
Rockwood,  
Sexton,  
Shepherd,  
Shetterly,

A. S. Brown,	Jewell,	Slayton,
Canniff,	J. H. Jones,	O. C. Smith,
Camburn,	Kedzie,	L. Smith,
Chauvin,	Lockwood,	E. Spalding,
Corey,	Lovell,	P. S. Spaulding,
Crossman,	Mallet,	Stannard,
Dunlap,	Mason,	Stevens,
Eck,	McCutcheon,	Sweezy.
Emerson,	Mead,	Swift,
Emery,	Mickley,	Taylor,
Fellows,	Miles,	Tompkins,
Fenton,	Murray,	Van Vleet,
Funston,	Newcombe,	Walker,
Gallup,	Newell,	Wells,
Glavin,	L. D. Osborn,	White,
Greenfield,	Packard,	Willard,
Grier,	Parker,	Wilson,
Haven,	F. Parsons,	Woodward,
Healy,	Parmelee,	Speaker <i>pro tem.</i>

15

## NAYS.

Mr. Dusseau,  
Hawley,

Mr. Warner,

Mr. Wright,

4

Mr. Crossman moved to amend the title by striking out the figures 55 and 2298;

Which motion prevailed.

The title, as amended, was then agreed to.

?

## MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker *pro tem.* announced the following:

SENATE CHAMBER,  
Lansing, February 13, 1867. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 9, entitled

A bill relative to recording deeds, mortgages, and instruments of record,

To which the House made sundry amendments, and to inform the House that the Senate has amended the second amend-



ment made by the House to section 2, by striking out the word "grantor," in the 3d line of said amendment, and inserting in lieu thereof the words, "officer or person;"

And to further inform the House that, as thus amended, the Senate has concurred in the amendments made to the bill by the House, by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Walker moved that the House concur in the amendments made by the Senate to the amendments made to the bill by the House;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Healy,	Mr. Pearl,
Ball,	Hill,	Robinson,
Barber,	Holt,	Rockwood,
Beall,	Hopkins,	Shepherd,
Boies,	Howard,	Slayton,
Bonine,	Jenness,	L. Smith,
A. S. Brown,	Jewell,	E. Spalding,
W. G. Brown,	J. H. Jones,	P. S. Spaulding,
Cantriff,	Kedzie,	Spence,
Camburn,	Locke,	Stannard,
Chauvin,	Lockwood,	Stevens,
Corey,	Lovell,	Sweezey,
Crossman,	Mallet,	Taylor,
Doulap,	Mason,	Tompkins,
Dusseau,	McCutcheon,	Upton,
Eck,	Mead,	VanVleet,
Emerson,	Mickle,	Walker,
Emery,	Miles,	Warner,
Fellows,	Murray,	Wells,
Fenton,	Newcombe,	White,
Funston,	L. D. Osborn,	Wilcox,
Gallup,	W. H. Osborn,	Willard,
Glavin,	Packard,	Wilson,
Greenfield,	Parker,	Woodward,
Grier,	F. Parsons,	Wright,
Haven,	Parmelee,	Speaker pro tem.,
Hawley,		79

NAYS.

0

On motion of Mr. Sweezy,

The House adjourned until to-morrow morning, at ten o'clock.

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*Lansing, Thursday, Feb. 14, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. McIntire.

Roll called: quorum present.

Absent at roll call, without leave, Mr. Hawley.

Mr. Haven asked and obtained leave of absence for Mr. Hawley.

Mr. Wells asked and obtained leave of absence for himself, until Monday.

The Hon. Frederick Douglass appearing in the lobby of the Hall of the House,

On motion of Mr. S. T. Parsons,

The Speaker *pro tem.* was requested to invite the Hon. Frederick Douglass within the bar of the House.

The Speaker performed the duty assigned him, and announced Mr. Douglass within the bar, who acknowledged the courtesy of the House, and then retired.

#### PRESENTATION OF PETITIONS.

By Mr. Jewell: petition of George D. Wood, Herman E. Whitney, Converse Close and 17 others, voters of union school district No. 1, of the township of Grattan, Kent county, asking for authority to issue bonds of said district for school-house purposes.

Referred to the committee on education.

By Mr. Howard: petition of D. Francisco, A. C. Prutzman and 27 others, citizens of the village of Three Rivers, to amend an act to incorporate the village of Three Rivers, St. Joseph county, approved Feb. 13, 1855.

Referred to the committee on banks and incorporations.

By Mr. F. Parsons: petition of Isaac D. Toll, John Sturgia, Jr., and 22 others, citizens of St. Joseph county, praying that

no more appropriations be made to the Agricultural College, and that the College and farm be transferred to the Reform School.

Referred to the committee on education.

By Mr. McCutcheon: memorial of E. Hunt, C. B. Willey and 84 others, citizens of Jefferson, Hilladale county, relative to the oppressive practices of the Michigan Southern and Northern Indiana railroad.

Referred to the special committee on the Michigan Southern railroad.

By Mr. Chauvin: petition of David Case, Edward Campan, Benjamin May and 53 others, citizens of Springwelle, Wayne county, asking that the action taken by the township board of said township, under act No. 329, of the session laws of 1865, relative to raising money by tax to refund advances made for bounty purposes, be legalized.

Referred to the committee on bounties.

By Mr. Shetterly: petition of J. N. Norris and 50 others, inhabitants of Warren, Macomb county, for an increase of tolls on the Hamtramck and Warren plank road, in said county of Macomb.

Referred to the committee on banks and incorporations.

By Mr. White: petition of the supervisor and township clerk of the town of Webster, Washtenaw county, praying for relief.

Referred to the committee on local taxation.

By Mr. Walker: petition of General R. A. Alger, Col. C. M. Lum, and 1,000 others, soldiers, sailors and citizens of Michigan, asking an appropriation for a soldiers' home for disabled and invalid soldiers.

Referred to the committee on State affairs.

By Mr. Aitken: petition of George W. Peck and 38 others, citizens of the State of Michigan, praying that some provisions be made by the general government for the the surviving soldiers of the war of 1812.

Referred to the committee on federal relations.

By Mr. Gallup: petition of Richard Winsor and 11 others,

citizens of Huron, Huron county, asking that certain highway taxes for the year 1862, in the township of Huron, Huron county, may be re-assessed.

Referred to the committee on local taxation.

By Mr. Gallup: petition of Chauncey Chapman and 17 others, citizens of Huron county, asking for the organization of a new township in Huron county, to be called Lincoln;

Also, petition of Lewis Pechett and 29 others, citizens of townships 16 and 17, and fractional township 8, asking for the organization of a new township in Huron county, to be called Lake.

Referred to the committee on towns and counties.

By Mr. Gallup: petition of F. Crawford and 23 others, asking an appropriation of swamp lands to drain Rush Lake Swamp, in Huron county;

Also, petition of S. R. Woodworth and 35 others, for the same purpose.

Referred to the committee on public lands.

By Mr. Greenfield: petition of H. C. Marvin, Frank C. Edgar and 94 others, citizens of Bay and Tuscola counties, asking for an additional appropriation of State swamp land on the Cass river and Bay City State road.

Referred to the committee on public lands.

By Mr. Haven: petition of J. D. Shipman, B. B. Shipman, Moses Haven, J. B. Delbridge and 174 others, for the relief of Letson Benham, for moneys advanced to the township of Sheridan, Calhoun county, to pay bounties.

Referred to the committee on bounties.

By Mr. Wilcox: petition of Woodland Owen, Norman Geddes and 48 others, citizens of Adrian, Lenawee county, asking the Legislature to protect the citizens of Michigan against dental quackery.

Referred to the committee on education.

By Mr. W. G. Brown: remonstrance of A. H. Godfrey, Orrin Gillett, John Dunn, H. Woodward and 116 others, citizens of the township of Parma, Jackson county, against legalizing the

action of the county of Jackson, in voting its credit to aid in the construction of the Grand Trunk Railroad, so far as said township is concerned;

Also, remonstrance of L. D. Chapel, C. M. Chapel, Jacob Luther, Jacob Rhines and 158 others, citizens of the township of Sandstone, Jackson county, for the same purpose.

Referred to the committee on internal improvements.

By Mr. Sweezy: petition of R. J. Grant, J. M. Nevins, H. A. Goodyear, H. J. Kenfield and 123 others, voters and tax payers of the township of Hastings, Barry county, praying that the enabling act for the Grand River Valley Railroad, may be so amended as to allow the townships on the line of said road, to raise by tax, ten per cent., instead of five, in aid of the construction of said road.

Referred to the committee on internal improvements.

By Mr. Sweezy: petition of H. Wright, J. F. Emery, D. S. Bugby and 151 others, voters and tax payers of the township of Thornapple, Barry county, praying that said township may be authorized to raise by tax \$20,000, in aid of the construction of the Grand River Valley Railroad.

Referred to the committee on local taxation.

By Mr. Boies: petition of F. J. Douglass, John Humphrey, C. L. Treadwell and 74 others, citizens of Menawee and Hillsdale counties, asking for the passage of a law fixing a legal standard for the size of apple barrels.

Referred to the committee on State affairs.

By Mr. L. Smith: petition of E. L. Drake and many others, citizens of Midland and Isabella counties, asking for an appropriation to aid in the improvement of certain roads.

Referred to the committee on roads and bridges.

By Mr. S. T. Parsons: petition of B. F. Taylor, H. M. Newcombe and 55 others, citizens of the county of Shiawassee, for a law to provide for the construction and repairs of the bridges across the Shiawassee River, in the county of Shiawassee, at the expense of the county at large.

Referred to the committee on roads and bridges.

## REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for laying out and establishing a State road in Menominee county;

Also, a petition from many citizens of said county, praying for the passage of the bill,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to change the name of the village of Greenbush, in Clinton county, to Eureka,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to establish the place for holding the next township meeting in the township of Grand Haven, in the county of Ottawa,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to attach certain territory to the townships of Sebewaing and Fair Haven,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Lake, in Huron county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM BALL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred the petition of A. Winchester and 24 others; also, the

petition of B. F. Wheat, Havens Wilber and 77 others, citizens of Quincy, asking such legislation as will compel the Michigan Southern Railroad Company to afford proper and reasonable facilities to the citizens of this State for travel and transportation,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that they be referred to the special committee on the Michigan Southern Railroad, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Boies,

The petitions were referred to the special committee on the Michigan Southern railroad.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of G. W. Platt and 27 others, citizens of Niles, in the county of Berrien, praying for the passage of a law to punish the keepers of saloons and other places of public resort, for harboring minors, and permitting them to engage in games of chance,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to prevent the sale of intoxicating drinks to minors, and to prevent their being permitted to play at games of chance, where such drinks are sold,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The petition was laid on the table.



By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3, chapter 5, of an act entitled an act to revise the charter of the city of Detroit, approved Feb. 5, 1857;

Also,

A bill to amend section 1, of an act entitled an act for the better protection of the public lands, and to punish the cutting and carrying away of timber therefrom, approved Feb. 12, 1857, being section 5927 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that they do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warner,

The first named bill was put upon its immediate passage.

The bill, being House manuscript bill, entitled

A bill to amend section 3, chapter 5, of an act entitled an act to revise the charter of the city of Detroit, approved Feb. 5, 1857,

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Howard,	Mr. Robinson,
Ball,	Jewell,	Rockwood,
Barber,	J. H. Jones,	Schars,
Beall,	Kedzie,	Shepherd,
Boies,	Kingsbury,	Slayton,
Bonine,	Locke,	L. Smith,
Brownell,	Lockwood,	R. B. Smith,
A. S. Brown,	Lovell,	E. Spalding,
W. G. Brown,	Mallet,	P. S. Spaulding,
Canniff,	Mason,	Stannard,
Camburn,	McCutcheon,	Stevens,
Crossman,	Mead,	Sweezey,
Deane,	Mickley,	Swift,

Dunlap,	Miles,	Taylor,
Eck,	Murray,	Tompkins,
Emerson,	Newcombe,	Upton,
Emery,	L. D. Osborn,	Van Vleet,
Fellows,	W. H. Osborn,	Walker,
Finston,	Packard,	Warner,
Gallup,	Parker,	Wells,
Glavin,	F. Parsons,	White,
Greenfield,	S T. Parsons,	Wilcox,
Hill,	Parmelee,	Willard,
Holt,	Pearl,	Wright,
Hopkins,	Randall,	Speaker <i>pro tem</i> ,
		75

## NAYS.

Mr. Alexander,	Mr. Grier,	Mr. Sexton,
Chauvin,	Haven,	Shetterly,
Corey,	Healy,	C. O. Smith,
Dusseau,	McKernan,	Spence,
Fenton,	Newell,	14

Title agreed to.

On motion of Mr. Warner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The second named bill was then ordered printed referred to the committee of the whole, and placed on the general order.

By the committee on lumber interests:

The committee on lumber interests, to whom was referred Senate bill No. 67, entitled,

"A bill to provide for the preservation of the Muskegon river improvement and for other purposes,"

Respectfully report that they have had the same under consideration, and find that in 1857 the Legislature of this State appropriated \$50,000 from the "internal improvement fund" for said improvement, which act was approved by the Governor; under said act a commissioner was appointed, who let a contract to John A. Brooks, to perform the work, which contract was approved by the Governor; in 1858, the time limited in said contract for the completion of the work, was extended by the Legislature, thereby recognizing the obligations of the con-

tract and the validity of the former act; after said extension was granted, and before work had been commenced under said contract, said Brooks transferred the same to one William Beard, of Brooklyn, N. Y., who performed the work according to contract, and to the satisfaction of the Governor and said commissioner, as appears by their endorsement on said contract accepting said work.

In 1861 the Legislature treated said improvement as belonging to the State, by imposing tolls for the benefit of said improvement, upon logs, lumber, timber and water-craft passing through the same, and provided by a joint resolution, for the payment of the claim of said Beard in State swamp lands, which payment was rejected by said Beard, for the reason that the contract called for payment in money.

In 1865, the Legislature provided by joint resolution for auditing and allowing said claim, and for its payment out of any money belonging to the "internal improvement fund," and for the imposition of tolls on property passing through said improvement, to pay any balance remaining due, after such fund should be exhausted.

It appears to your committee that at the time of the completion of said work, there was no "internal improvement fund" to meet the payment due on said contract, nor has there since been, and that the same yet remains due and unpaid.

In consequence of the nature of this bill, which your committee has had under consideration, they have examined the question of who is liable to pay the claim? The opinion of each member of your committee is, that in view of the action of the State, through its Legislatures and its agents, the claim is a just, valid and existing debt against it, and not against any person, party or community, whose business or necessity may compel them to use said improvement.

Your committee have therefore directed me to report said bill back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that

the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. H. GALLUP, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was recommitted Senate bill No. 28, entitled

A bill to reorganize the fifth, eighth and ninth judicial circuits, and to create the fourteenth judicial circuit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the House do concur in the amendments made by the Senate to the amendments made by the House, and that the House recede from its amendments, in which the Senate did not concur, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman*.

Report accepted and committee discharged.

Mr. Swezey moved that the House concur in the amendments made by the Senate to the amendments made to the bill by the House;

Which motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,  
Alexander,  
Ball,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
W. G. Brown,

Mr. Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,

Mr. Robinson,  
Rockwood,  
Schars,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
R. B. Smith,

Canniff,	Lockwood,	E. Spalding,
Camburn,	Lovell,	P. S. Spaulding,
Chauvin,	Mallet,	Spence,
Corey,	Mason,	Stannard,
Deane,	McCutcheon,	Stevens,
Dunlap,	McKernan,	Swetzey,
Dusseau,	Mickle,	Swift,
Eck,	Miles,	Taylor,
Emerson,	Murray,	Tompkins,
Emery,	Newcombe,	Upton,
Fellows,	Newell,	Van Vleet,
Fenton,	L. D. Osborn,	Walker,
Furston,	W. H. Osborn,	Warner,
Gallup,	Packard,	Wells,
Glavin,	Parker,	White,
Greenfield,	F. Parsons,	Wilcox,
Grier,	S. T. Parsons,	Willard,
Haven,	Parmelee,	Woodward,
Healy,	Pearl,	Wright,
Hill,	Randall,	Speaker <i>pro tem.</i> ,

80

NAYS.

0

Mr. Sweezey moved that the House recede from the amendments made to the bill by the House, in which the Senate refused to concur;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Randall,
Alexander,	Hopkins,	Robinson,
Ball,	Howard,	Rockwood,
Barber,	Huckins,	Schars,
Beall,	Jenness,	Sexton,
Boies,	Jewell,	Shepherd,
Bonine,	J. H. Jones,	Shetterly,
Brownell,	Kedzie,	Slayton,
A. S. Brown,	Kingsbury,	C. C. Smith,
W. G. Brown,	Locke,	L. Smith,
Canniff,	Lockwood,	R. B. Smith,
Camburn,	Lovell,	E. Spalding,
Chauvin,	Mallet,	P. S. Spaulding,
Corey,	Mason,	Spence,
Deane,	McCutcheon,	Stannard,
Dunlap,	McKernan,	Stevens,
Dusseau,	Mead,	Swetzey,

Eck,  
Emerson,  
Emery,  
Fellows,  
Fenton,  
Funston,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,  
Healy,  
Hill,

Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
L. D. Osborn,  
W. H. Osborn,  
Packard,  
Parker,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,

Swift,  
Taylor,  
Tompkins,  
Upton,  
Van Vleet,  
Walker,  
Wells,  
White,  
Wilcox,  
Willard,  
Woodward,  
Wright,  
Speaker *pro tem.*

90

## NAYS.

0

By the committee on the judiciary:

The committee on the judiciary, to whom was referred  
A bill to vacate the township of Pewabic, in the county of  
Ontonagon, and attach the same to the townships of Onto-  
nagon, Rockland and Carp Lake, in said county;

Also, a petition praying for the passage of such bill,

Respectfully report that they have had the same under con-  
sideration, and have directed me to report the bill back to the  
House, without amendment, and recommend that it do pass,  
and ask to be discharged from the further consideration of  
the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee  
of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was re-  
ferred Senate bill No. 62, entitled

A bill to amend section three, of chapter fifty-five, of the  
revised statutes of 1846, being section 2145 of the compiled  
laws relative to corporations,

Respectfully report that they have had the same under con-  
sideration, and have directed me to report the bill back to the  
House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 66, entitled

A bill to authorize the formation of corporations for the purpose of engaging in commerce or navigation,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Mickley,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Walker,

The bill was placed on the order of third reading.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolution asking Congress for a grant of land to aid in the construction of a railroad from Menominee, in Menominee county, to Houghton, in Houghton county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

CHARLES E. MICKLEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. McKernan,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

A bill to cede jurisdiction to the United States of America, over land to be occupied as sites of light-house buildings in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHARLES E. MICKLEY, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bill and joint resolution:

A bill to legalize the tax roll of the township of Mussey, in the county of St. Clair, for the year 1866;

Also,

Joint resolution asking an appropriation of lands by Congress, to endow female colleges in the several States;

Also,

Joint resolution to protect the fisheries of the State in the Upper Peninsula to the people of the State and of the United States

DANIEL UPTON, *Chairman*.

Report accepted.



## MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER, }  
*Lansing, February 13, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 42, entitled

A bill to legalize the tax roll of the township of Rockland, Ontonagon county, for the year 1866,

And to inform the House that the Senate has amended the same by inserting the word "as," before the word "valid," in the third line.

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Emerson moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Randall,
Alexander,	Hopkins,	Robinson,
Ball	Howard,	Rockwood,
Barber,	Huckins,	Schars,
Beall,	Jewell,	Sexton,
Boies,	J. H. Jones,	Shepherd,
Boline,	Kedzie,	Shetterly,
Brownell,	Kingebury,	O. C. Smith,
A. S. Brown,	Locke,	L. Smith,
W. G. Brown,	Lockwood,	R. B. Smith,
Canniff,	Lovell,	E. Spalding,
Camburn,	Mallet,	P. S. Spaulding,
Chauvin,	Mason,	Spence,
Corey,	McCutcheon,	Stannard,
Deane,	McKernan,	Stevens,

Dunlap,	Mead,	Swift,
Du-seau,	Mickley,	Taylor,
Eck,	Miles,	Tompkins,
Emerson,	Murray,	Upton,
Emery,	Newcombe,	Van Vleet,
Fellows,	Newell,	Walker,
Fenton,	L. D. Osborn,	Warner,
Gallup,	W. H. Osborn,	Wells,
Glavin,	Packard,	White,
Greenfield,	Parker,	Wilcox,
Grier,	F. Parsons,	Willard,
Haven,	S. T. Parsons,	Wright,
Healy,	Parmelee,	Speaker <i>pro tem.</i> ,
Hill,	Pearl,	86

NAYS.

Mr. Slayton,

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 13, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 88, entitled

A bill to organize the county of Washington;

2. Senate bill No. 91, entitled

A bill to authorize the township board of the township of Summit, in Jackson county, to borrow money and issue bonds for certain purposes;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and,

On motion of Mr. Healy,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the bill was put upon its immediate passage.

The bill, being Senate bill No. 88, entitled,

A bill to organize the county of Washington,

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Robinson,
Alexander,	Hopkins,	Rockwood,
Ball,	Howard,	Schars,
Barber,	Huckins,	Sexton,
Beall,	Jewell,	Shepherd,
Boies,	J. H. Jones,	Shetterly,
Bonine,	Kedzie,	Slayton,
Brownell,	Kingsbury,	O. C. Smith,
A. S. Brown,	Locke,	L. Smith,
W. G. Brown,	Lockwood,	R. B. Smith,
Canniff,	Lovell,	E. Spalding,
Gamburn,	Mason,	P. S. Spaulding,
Chauvin,	McCutcheon,	Spence,
Corey,	McKernan,	Stannard,
Deane,	Mead,	Stevens,
Dunlap,	Mickley,	Swift,
Dusseau,	Miles,	Taylor,
Eck,	Murray,	Tompkins,
Emerson,	Newcombe,	Upton.
Emery,	Newell,	Van Vleet,
Fellows,	L. D. Osborn,	Walker,
Fenton,	W. H. Osborn,	Warner,
Gallup,	Packard,	Wells,
Glavin,	Parker,	Wilcox,
Greenfield,	F. Parsons,	Willard,
Grier,	S. T. Parsons,	Woodward,
Haven,	Parmelee,	Wright,
Healy,	Pearl,	Speaker <i>pro tem.</i> ,
Hill,	Randall,	86

## NAYS.

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Title agreed to.

On motion of Mr. Healy,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The second named bill was read a first and second time by its title, and,

On motion of Mr. Upton,

The rule requiring the second and third reading of bills and resolutions to be on different days, was suspended, and the bill was put upon immediate passage.

The bill, being Senate bill No. 91, entitled

A bill to authorize the township board of the township of Summit, in Jackson county, to borrow money and issue bonds for certain purposes,

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Aitken,	Mr. Healy,	Mr. S. T. Parsons,
Alexander,	Hill,	Pearl,
Ball,	Holt,	Randall,
Beall,	Hopkins,	Robinson,
Boies,	Howard,	Rockwood,
Bonine,	Huckins,	Schars,
Brownell,	Jewell,	Sexton,
A. S. Brown,	J. H. Jones,	Shepherd,
W. G. Brown,	Kingsbury,	L. Smith,
Canniff,	Locke,	R. B. Smith,
Camburn,	Lockwood,	E. Spalding,
Chauvin,	Mason,	Spence,
Corey,	McKernan,	Stevens,
Deane,	Mead,	Swift,
Dunlap,	Mickley,	Taylor,
Dusseau,	Miles,	Tompkins,
Eck,	Murray,	Upton,
Emerson,	Newell,	Walker,
Emery,	L. D. Osborn,	Wells,
Fellows,	W. H. Osborn,	White,
Fenton,	Packard,	Willard,
Gallup,	Parker,	Woodward,
Greenfield,	F. Parsons,	Speaker <i>pro tem.</i>

#### NAYS.

Mr. Barber,	Mr. Parmelee,	Mr. Stannard,
Grier,	Shetterly,	Warner,
Kedzie,	Slayton,	Wilcox,

Lovell,  
McCutcheon,

C. C. Smith,  
P. S. Spaulding,

Wright,

14

Title agreed to.

On motion of Mr. Upton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, February 13, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 29, entitled

A bill to provide for the revision of the constitution of the State of Michigan,

And to inform the House that the Senate has amended the same as follows:

1. By striking out all after the word "qualified," in line 2, section 1, and inserting the following, in lieu thereof:

"Voters of the State shall elect from their number, eighteen delegates, not more than three of whom shall be residents of the same Congressional District, and the qualified voters of each Senatorial District, shall elect from their numbers, two delegates. The whole number of persons so elected shall constitute a convention for the revision of the Constitution of this State;"

2. By striking out in line 4, section 2, the following words: "Members of the Legislature," and inserting in lieu thereof, "State officers and Senators;"

3. By adding the letter "s" to the words "name," "candidate," and "delegate," in line 1, section 3;

4. By striking out in line 7, section 3, "Members of the House of Representatives," and inserting in lieu thereof, the following: "State officers and State Senators;"

5. By striking out, in line 7, section 4, the word "five," and inserting in lieu thereof, the word "four;"

6. By striking out in line 15, section 4, the words "and other perquisites," and inserting the word "and," in line 14 after the word papers;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. Sweezey,

The bill was recommended to the committee on State affairs.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, February 13, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 24, entitled

A bill to authorize (graded) school district number eight, of the township of Ingham, in the county of Ingham, to borrow money for the purpose therein mentioned,

And to inform the House that the Senate has amended the same, by striking out all after the word "shall," in the fifth line of section one, and inserting in lieu thereof, the following: "direct by a vote of two-thirds of the qualified electors voting, at the special school meeting duly called for that purpose,"

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. Jenness moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Jenness,	Mr. Shetterly,
Alexander,	Kedzie,	C. C. Smith,
Beall,	Kingsbury,	L. Smith,
Boies,	Locke,	E. Spalding,
Bonine,	Lovell,	P. S. Spaulding,
Brownell,	Mallet,	Spence,
A. S. Brown,	Mason,	Stannard,
W. G. Brown,	McCutcheon,	Stevens,
Canniff,	McKernan,	Sweezy,
Chauvin,	Mead,	Swift,
Deane,	Mickley,	Taylor,
Dunlap,	Miles,	Tompkins,
Eck,	Newcombe,	Upton
Emerson,	W. H. Osborn,	Van Vleet,
Emery,	Packard,	Walker,
Fellows,	F. Parsons,	Warner,
Fenton,	S. T. Parsons,	Wells,
Gallup,	Parmelee,	White,
Glavin,	Pearl,	Wilcox,
Grier,	Robinson,	Willard,
Bealy,	Schars,	Woodward
Hill,	Sexton,	Wright,
Holt,	Shepherd,	Speaker <i>pro tem.</i> ,
Huckins,		70

## NAYS.

Mr. Ball,	Mr. Hopkins,	Mr. L. D. Osborn,
Barber,	Howard,	Parker,
Camburn,	Jewell,	Rockwood,
Corey,	Murray,	Slayton,
Dusseau,	Nowell,	R. B. Smith,
Greenfield,		16

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, February 13, 1867. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

Whereas, The House of Representatives did, on the 9th inst.,

appoint a committee of five of its members, in pursuance of the preamble and resolution, which reads as follows:

*Whereas*, The people living on the line of the Michigan Southern and Northern Indiana railroad complain as to the management of said road—1st. That passengers are subject to an unreasonable and unnecessary delay at Toledo, of from 7 to 16 hours, and that all mail matter is detained and delayed at the same place the same time; 2d. That through freight is given the preference over local freight, thereby causing great loss to the shippers of freight and to the farmers of Southern Michigan; 3d. That a greater rate of fare is demanded than is allowed by law.

*And whereas*, It is our duty to protect the rights of the people from the encroachments of great railroad corporations; therefore

*Resolved by the House of Representatives*, That a special committee of five be appointed by the Speaker, and that such committee be instructed to investigate the charges against the Michigan Southern and Northern Indiana Railroad Company, and report to this House what further legislation is needed (if any) to protect the citizens of this State from the alleged unreasonable rules and regulations of said railroad company;

Therefore,

*Resolved*, (the House concurring) That a committee of three on the part of the Senate, be appointed to act with said committee appointed on the part of the House, and that said joint committee have power to send for persons and papers;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

On motion of Mr. S. T. Parsons,

The House concurred in the adoption of the resolution.



## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howard gave notice that on some future day he would ask leave to introduce

A bill to amend an act to incorporate the village of Three Rivers, St. Joseph county, approved February 13, 1855.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to authorize superintendents of county poor to sell paupers property, and apply the same to their support.

Mr. Emerson gave notice that on some future day he would ask leave to introduce

A bill to appoint commissioners of swamp land roads in case of vacancies, in the county of Ontonagon;

Also,

A bill appropriating the non-resident highway tax of Pewabic township, Ontonagon county, to the construction of the State road from the Hudson mine to the Montreal river.

Mr. Hill gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of supervisors of the county of Keweenaw, to raise money to aid in the construction of the Mineral Range State road, in said county.

Mr. Mickley offered the following:

*Resolved*, (The Senate concurring,) That it is the deliberate opinion of this Legislature that the high objects for which the University of Michigan was organized will never be fully attained until women are admitted to all its *rights and privileges*.

Laid on the table for one day under the rules.

Mr. Healy gave notice that on some future day he would ask leave to introduce

A bill to organize the county of Schoolcraft.

Mr. Hopkins offered the following:

*Resolved*, That the committee on public lands be discharged from the further consideration of the petition of C. B. Albee, Henry Pennoyer, and 113 others, citizens of Ottawa county, asking for an appropriation of swamp lands, to aid in the con-

struction of a bridge across Grand river, on the line of the Allegan, Ferrysburg and Traverse Bay State road, and that the same be referred to a special committee of three, whose duty it shall be to report the object or purpose for which the swamp lands were granted by the general government to this State, the policy of Michigan in the disposal of them, and whether the prayer of said petitioners can be granted, without violation of said purpose and policy, and to report to this House, accompanied by a bill or otherwise, as said committee may deem advisable;

Which was adopted.

Mr. Kedzie offered the following:

*Resolved*, That the committee on agriculture be added to the committee on education, to consider and report upon all matters connected with the State agricultural college;

Which was adopted.

Mr. Willard offered the following:

*Resolved*, That the use of the Hall of the House of Representatives be granted to Mrs. Randall, for the purpose of giving select readings, on Saturday evening next, before the members of the Legislature.

Mr. Lockwood moved to amend the resolution, by adding the following thereto:

"And that the Sergeant-at-Arms be instructed to admit no one to the seats of the members, except members and officers of the Legislature."

The amendment was accepted.

The resolution, as amended, was then adopted.

Mr. Newcombe, unanimous consent being given, introduced A bill to protect property on the Saginaw river from fire.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Osborn, unanimous consent being given, introduced

A bill to provide for additional voting precincts in such townships as may require them.

The bill was read a first and second time by its title, and referred to the committee on elections.

Mr. R. B. Smith, unanimous consent being given, introduced.

A bill to promote the collection of debts by creditors of railroad companies.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. S. T. Parsons, unanimous consent being given, introduced

A bill to amend section 4, of an act entitled "an act to provide for the incorporation of railroad companies."

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. S. T. Parsons, unanimous consent being given, introduced

A bill to repeal an act entitled an act to amend section 10, of an act to provide for the incorporation of railroad companies, approved February 11, 1859.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Shetterly, unanimous consent being given, introduced

A bill to authorize any of the townships or municipalities in the counties of Wayne, Macomb, Lapeer, Tuscola, Saginaw and Bay, to pledge their credit to aid in the construction of a railroad from or near the junction of the Detroit and Milwaukee and Grand Trunk Junction railways, in the county of Wayne, northerly through said counties, to Bay City, in the county of Bay.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Miles, previous notice having been given, and leave being granted, introduced

A bill to authorize and require county clerks to record soldiers' discharges.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Boies, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee, for the year 1866.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Huckins, unanimous consent being given, introduced

A bill to provide for the re-survey and re-platting of the village of Lexington.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Slayton, previous notice having been given, and leave being granted, introduced

A bill to amend section 1937 of the compiled laws, being section 43, of chapter 67, of said compiled laws, and being an act to provide for the incorporation of railroad companies, approved February 12, 1855, so as to require all persons and companies owning or occupying railroads in this State, to fence the same.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Wright, unanimous consent being given, introduced

A bill to provide against nuisances.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Beall, unanimous consent being given, introduced

A bill to legalize the action of the voters of the township of Sherwood, in the county of Branch, in voting aid for the construction of a railroad from some point at or near Port Huron, on the most eligible route to the State line, and thence to Chicago, in the State of Illinois.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Newcombe, unanimous consent being given, introduced

A bill to amend sections 8, 9, 10 and 12, of an act entitled an act to incorporate a board of education for the city of East

Saginaw, approved Feb. 15, 1859, and to repeal sections 1 and 2, of act No. 5, of the session laws of 1862, approved January 14, 1862.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Gallup, previous notice having been given, and leave being granted, introduced

A bill to authorize the reassessment and collection of certain highway taxes in the township of Huron, Huron county.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Taylor, unanimous consent being given, introduced

A bill to provide for the completion of the Saginaw and Gratiot State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Spence, previous notice having been given, and leave being granted, introduced

A bill relative to the public schools in the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on education

Mr. Jenness, unanimous consent being given, introduced

A bill to amend section 151, of the charter of the city of Ypsilanti, and to authorize the common council of said city to borrow money.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. White, unanimous consent being given, introduced

A bill for the relief of the township of Webster, in the county of Washtenaw.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Warner, unanimous consent being given, introduced

A bill to protect mechanics and other laborers in the quiet pursuit of their avocations.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

On motion of Mr. Willard,

By a vote of two-thirds of all the members elect, Senate bill No. 54, entitled

A bill to amend sections 12, 22, 23, 31, 41, 53, 55, 98, 107, 109, 137 and 140, of chapter fifty-eight, of the revised statutes of eighteen hundred and forty-six, being sections 2255, 2265, 2271, 2274, 2284, 2296, 2298, 2312, 2341, 2350, 2352, 2378, 2381, of the compiled laws, and section 14, of an act entitled "an act for the relief of school districts," approved February 7, 1865, being section 2412 of the compiled laws,

Which passed the House yesterday, was ordered to take immediate effect.

Mr. Howard gave notice that on some future day he would ask leave to introduce

A bill to prevent fishing with seines and every other kind of continuous nets in the waters of the county of St. Joseph.

Mr. Holt moved that the House take a recess until 2 o'clock this afternoon.

Mr. Mead moved that the House adjourn;

Which motion did not prevail.

The motion to take a recess until 2 o'clock, was then agreed to.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

The Speaker *pro tem*. announced as the special committee appointed under the resolution of Mr. Hopkins, adopted during the morning session, Messrs. Hopkins, Sweezey and Miles.

SPECIAL ORDER OF THE DAY.

On motion of Mr. Walker,

The House went into committee of the whole, on the special order,

Mr. Hopkins in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 128, entitled

A bill relative to the Supreme court;

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

MOSES B. HOPKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Emery,

The House concurred in the adoption of the amendment made to the bill by the committee, and the bill was placed on the order of third reading.

By unanimous consent, the Speaker *pro tem.* announced the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
*Lansing, February 14, 1867.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill, entitled

A bill to amend section 3, chapter 5, of an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment, for enrollment.

THIRD READING OF BILLS AND RESOLUTIONS.

Senate bill No. 66, entitled

A bill to authorize the formation of corporations, for the purpose of engaging in commerce or navigation,

Being under consideration,

Mr. Grier moved that the bill be recommitted to the committee of the whole;

Which motion prevailed.

SPECIAL ORDER,

Being the consideration of the revised rules of the House, reported by the committee on rules and joint rules.

On motion of Mr. Kedzie,

The consideration of the special order was postponed for one day.

GENERAL ORDER.

On motion of Mr. Holt,

The House went into committee of the whole, on the general order,

Mr. White in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. Senate bill No. 21, entitled

A bill authorizing the State Treasurer to surrender the bonds deposited in his office as security for the circulating notes of certain chartered banks;

2. Senate bill No. 12, entitled

A bill to provide for the purchase, preparation and care of the Antietam National Cemetery, at Sharpsburgh, in the State of Maryland;

3. House bill No. 84, entitled



A bill to legalize the tax roll of the township of Caledonia, in Kent county, for A. D. 1860;

4. House bill No. 94, entitled

A bill to amend section 876, of chapter 17, of the compiled laws, so as to provide for furnishing periodically to the county treasurers, the numbers of tax sale certificates redeemed at the State treasury, for public reference;

5. House bill No. 90, entitled

A bill to amend section 4042, of chapter 119, of the compiled laws;

6. House bill No. 91, entitled

A bill to repeal act No. 354, of the session laws of A. D. 1865, entitled an act appropriating certain highway taxes for the improvement of a road leading from Corunna, in the county of Shiawassee, to Saginaw City, in the county of Saginaw, and to provide for the appropriation of the funds in the hands of the commissioners, mentioned in said act;

7. House bill No. 85, entitled

A bill to amend sections 4748, 4745, 4761, 4768, 4764, 4773, 4775, 4776, of the compiled laws, relating to proceedings against debtors by attachment;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

8. House bill No. 86, entitled

A bill to authorize the township of Caledonia, in Kent county, to issue bonds for bridge purposes;

9. House bill No. 88, entitled

A bill to amend sections 5690 and 5691, of the compiled laws, being sections two and three, of an act relative to the costs of proceedings in criminal cases, approved March 13th, 1849;

10. House bill No. 95, entitled

A bill to authorize the city of Battle Creek, and the town-

ships in the counties of Calhoun, Kalamazoo and Barry, to raise by tax and donate money, to the agricultural and mechanical association, at Battle Creek;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

11. House bill No. 92, entitled

A bill to provide for laying out and establishing a State road, to be known as the extension of the Englishville and Oroton State road, and appropriating certain swamp lands for the construction of the same;

Have directed their chairman to report the same back to the House, with the recommendation that it be referred to the committee on public lands.

THOMAS WHITE, *Chairman.*

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth and seventh named bills were placed on the order of third reading.

On motion of Mr. Boies,

The amendments made to the eighth, ninth and tenth named bills were concurred in, *in gross*, and the bills placed on the order of third reading.

On motion of Mr. Boies,

The last named bill was referred to the committee on public lands.

On motion of Mr. Kedzie,

The House adjourned until to-morrow morning, at 10 o'clock.

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*Lansing, Friday, February 15, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Hickox.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Benedict, Deane, L. D. Osborn, Wells and Woodward.

Mr. Dusseau asked and obtained leave of absence for Mr. Benedict, on account of sickness.

Mr. Masen asked and obtained leave of absence for Mr. Deane, on account of sickness.

Mr. Bonine asked and obtained leave of absence for Mr. L. D. Osborn, on account of sickness.

Mr. Corey asked and obtained leave of absence for Mr. Woodward, for an indefinite time.

Mr. S. T. Parsons asked and obtained leave of absence for himself, for an indefinite time.

Mr. Kingsbury asked and obtained leave of absence for himself, for an indefinite time.

Mr. Sweezey asked and obtained leave of absence for himself, for an indefinite time.

Mr. W. H. Osborn asked and obtained leave of absence for himself, until next Tuesday.

Mr. Sexton asked and obtained leave of absence for himself, until next Wednesday.

Mr. Walker asked and obtained leave of absence for himself, until next Tuesday.

Mr. L. Smith, by unanimous consent, moved to discharge the committee of the whole from the further consideration of House bill No. 87, entitled

A bill to authorize any of the townships, cities and incorporated villages in the counties of Saginaw, Gratiot and Clinton, to vote a tax or pledge their credit to aid in the construction of a plank road from Saginaw, by way of St. Louis or Alma, to the village of St. Johns, in Clinton county;

Which motion prevailed.

On motion of Mr. L. Smith,

The bill was referred to a special committee of three.

The Speaker *pro tem.* announced, as such committee, Messrs. L. Smith, S. T. Parsons and Gallup.

PRESENTATION OF PETITIONS.

By Mr. Corey: remonstrance of A. B. Clark, K. W. Parsons and 10 others, tax payers of school district No. 5, of the township of Saline, and district No. 7, of York, Washtenaw county, against annexing certain lands to fractional school district number one, of the township of Saline, in Washtenaw county.

Referred to the committee on banks and incorporations.

By Mr. Wright: petition of Charles V. Babcock, Darwin O. White and 81 others, citizens and tax payers of Southfield, Oakland county, against any further appropriation to the Agricultural College.

Referred to the committee on education.

By Mr. Woodman: petition of Chandler Richards, John R. Baker, T. L. Stevens, T. E. Hendricks, Alonzo Sherman and 33 others, citizens of the township of Lafayette, in the county of Van Buren, asking for the passage of a law to change the name of said township, to that of Paw Paw.

Referred to the committee on towns and counties.

By Mr. Woodman: petition of Jame B. Crane, G. J. Hudson and 195 others, citizens of the village of Paw Paw, asking for the passage of a law to incorporate said village of Paw Paw.

Referred to the committee on banks and incorporations.

By Mr. S. T. Parsons: petition of J. B. Barnes, George P. Moses and 43 others, citizens of the county of Shiawassee, for the passage of a law to provide for the construction and repairs of all bridges over the Shiawassee river, in said county, at the expense of the county at large;

Also, petition of Lemuel Howe and 41 others, citizens of Shiawassee county, for the same purpose.

Referred to the committee on roads and bridges.

By Mr. Stevens: petition of S. M. Sackett and 12 others, citizens and tax-payers of the county of Monroe, asking that the present system of township inspectors of schools, be changed to that of county superintendents.

Referred to the committee on education.

By Mr. McCutcheon: memorial of the board of supervisors

of Hillsdale county, praying the Legislature to pass a law for the taxation of State and national bank shares.

Referred to the committee on banks and incorporations.

By Mr. Haven: petition of Wm. R. Babcock and 75 others, citizens of the township of Albion, in relation to the practice of dentistry.

Referred to the committee on education.

By Mr. Emery: petition of John C. Emery and 60 others, citizens of Lapeer county, asking for an appropriation of swamp lands, for the construction of a ditch or drain in said county.

Referred to the committee on public lands.

By Mr. Pearl: memorial of the board of supervisors of Olin-ton county, praying for the repeal of act number 273, of the session laws of 1865, relative to the payment of taxes to town-ship treasurers.

Referred to the committee on State affairs.

By Mr. Pearl: petition of Lyman Cobb and 52 others, asking the repeal of the proviso in section 8, of act number 70, of session laws of 1865;

Also, petition of W. C. Bennett and 23 others, for the same purpose.

Referred to the committee on the judiciary.

By Mr. Lovell: petition of J. M. Gregory, Daniel Putnam, Caleb Eldred, Jr., T. Z. R. Jones, Samuel Haskell, J. A. Clark Henry C. Briggs and L. Hull, executive committee of the board of trustees of Kalamazoo college, asking for aid in the support of the normal department in said college.

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to authorize the planting and protection of shade and ornamental trees, in the highways of the township of Hudson, Lenawee county,

Also, a petition from Lorenzo Palmer, C. B. Stowell, S. G. Pettinger, George Williams and 126 others, citizens of the township of Hudson, Lenawee county, praying for the passage of the bill;

Also,

A remonstrance from Lorenzo Ames and 17 others, remonstrating against the passage of the bill,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

LUTHER SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Boies,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill No. 71, entitled

A bill to authorize school district number one, of the village and township of Kalamazoo, in the county of Kalamazoo, to convey certain real estate, belonging to said school district,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GEORGE WILLARD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Randall,

The House concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on insurance:

The committee on insurance, to whom was referred

A bill to protect property on the Saginaw river from fire,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. O. KINGSBURY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was recommitted House bill No. 29, entitled

A bill to provide for the revision of the constitution of the State of Michigan, with sundry amendments made thereto by the Senate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the amendments be non-concurred in, and ask to be discharged from the further consideration of the subject.

THOMAS WHITE, *Chairman.*

Report accepted and committee discharged.

Mr. Boies moved that the House concur in the recommendation of the committee;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Aitken,  
Alexander,  
Ball,  
Barber,

Mr. Howard,  
Huckins,  
Jenness,  
Jewell,

Mr. Robinson,  
Rookwood,  
Schars,  
Sexton,

Beall,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Dusseau,  
Eck,  
Emerson,  
Emery,  
Fellows,  
Fenton,  
Funston,  
Gallup,  
Greenfield,  
Grier,  
Haven,  
Healy,  
Holt,  
Hopkins,

J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lovell,  
Mallet,  
Mason,  
McOutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newcombe,  
Newell,  
Packard,  
Parker,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,  
Randall,

Shepherd,  
Shetterly,  
C. C. Smith,  
L. Smith,  
R. B. Smith,  
E. Spalding,  
P. S. Spaulding,  
Stannard,  
Stevens,  
Sweezey,  
Swift,  
Taylor,  
Tompkins,  
Upton,  
Van Vleet,  
Walker,  
Warner,  
White,  
Willard,  
Wilson,  
Wright,  
Speaker *pro tem*,

79

## NAYS.

Mr. W. G. Brown, Mr. Slayton, Mr. Spence, 3

By the committee on internal improvements:

The committee on internal improvements, to whom was referred the petition of Alfred Hallock, Wm. H. Turner and 120 others, citizens of Genesee county, asking for the repeal of act No. 147, of session laws of 1865, being an act to amend section 17, of chapter 67 of the compiled laws, relative to fare on short railroads,

Respectfully report that they have had the same under consideration, and have directed me to report the same to the House, with the accompanying bill, entitled

A bill to repeal act No. 147, of session laws of 1865, being an act to amend section 17, of chapter 67 of the compiled laws, relative to fare on short railroads,

Recommending that the bill do pass, and ask to be discharged from the farther consideration of the subject.

JAMES VAN VLEET, *Chairman*.



Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to legalize the action of the electors of the city of Flint, in the county of Genesee, in voting aid to the Port Huron and Lake Michigan railroad company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Jewell,

The bill was laid on the table.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred Senate-bill No. 65, entitled

A bill to amend act No. 266, of the session laws of the year 1865, being an act to authorize any of the townships and cities of the counties of St. Clair, Lapeer, Genesee and Shiawassee, to pledge their credit in aid of the construction of a railroad from Port Huron to some point on the line of the Detroit and Milwaukee railroad, in Shiawassee county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAMES VAN VLEET, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Newell,

The House concurred in the amendment made to the bill by the committee.

Mr. Warner, on leave, said:

Mr. Speaker—I desire to say a word by way of a *minority* report.

The majority of the committee on internal improvements, of which I am a member, has just reported Senate bill No. 65, to authorize certain municipalities therein mentioned to pledge their credit in aid of the construction of a railroad, and has recommended that the same do pass.

I was not present this morning, when the recommendation was agreed on, being detained by both business and a bad cold. I do not complain, in the least, that such a recommendation was agreed on in my absence. I had notice of the meeting, and it was very proper for the committee to proceed with and consummate its deliberations with regard to this matter, in my absence. But I desire now and here, to express in emphatic terms, my dissent from the recommendation of the majority of the committee, on the ground—

*First.* That the acts and measures thus recommended are in conflict with our system of State Government; and

*Second.* Were such acts and measures not thus in diametrical conflict with the nature of our State Government, they are grossly inexpedient.

At the proper time I shall endeavor, if the state of my voice will allow of it, to illustrate and establish these two propositions, either of which is controlling.

On motion of Mr. Van Vleet,

The bill was made the special order for Tuesday next, at 2 o'clock P. M.

By the committee on local taxation:

The committee on local taxation, to whom was referred the petition of James Patrick, Roswell Lamb, Levi Jennings, and 77 others, citizens and tax-payers of the township of Rollin, Lenawee county, praying for the passage of an act extending

the time for the collection of the drainage taxes in said township;

Also,

A bill to extend the time for the collection of taxes in the township of Rollin, in the county of Lenawee, for the year 1866,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Boies,

The bill was placed on the order of third reading,

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to establish a board of public works in and for the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

A bill to legalize the tax-roll of the township of Rockland, Ontonagon county, for the year 1866;

Also,

A bill to amend section three, chapter five, of an act entitled

"an act to revise the charter of the city of Detroit," approved February 5th, 1857.

DANIEL UPTON, *Chairman*.

Report accepted.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of J. D. Van Duyn, C. Walbridge and 125 others, tax-payers of the village of Manchester, asking for the incorporation of said village; also,

A bill to incorporate the village of Manchester,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of J. P. Beers, A. S. French and 40 other citizens of Montcalm county, praying for a law to allow certain towns in Ionia and Montcalm counties, to take stock in the Ionia and Stanton plank road; also,

A bill to authorize certain towns in the counties of Ionia and Montcalm, to aid in the construction of a plank road from Ionia, in Ionia county, to Stanton, in Montcalm county,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject

J. K. BOIES, *Chairman*.

Report accepted and committee discharged. •

On motion of Mr. Camburn,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of E. H. Ewell and 160 others, praying that the townships, villages and cities, in the counties of Saginaw, Gratiot and Clinton, may be authorized to vote a tax, to aid in the construction of a plank road, have instructed me to report the same back to the House, with the recommendation that it be referred to the special committee, to whom has been referred House bill No. 87, entitled

A bill to authorize any of the townships, cities and incorporated villages, in the counties of Saginaw, Gratiot and Clinton, to vote a tax or pledge their credit, to aid in the construction of a plank road from Saginaw, by way of St. Louis or Alma, to the village of St. Johns, in Clinton county,

And ask to be discharged from the further consideration of the subject.

J. K. BOIES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. A. S. Brown,

The recommendation of the committee was concurred in.

#### MESSAGES FROM THE GOVERNOR.

The Speaker *pro tem.* announced the following:

EXECUTIVE OFFICE, }  
Lansing, Feb. 14, 1867. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, the following, viz:

An act to amend section three, chapter five, of an act entitled "an act to revise the charter of the city of Detroit," approved February fifth, 1857.

HENRY H. CRAPO.

The message was laid on the table.

The Speaker *pro tem.* also announced the following:

EXECUTIVE OFFICE,  
Lansing, February 15, 1867. }

*To the House of Representatives :*

I have this day approved, signed and deposited, in the office of the Secretary of State, the following, viz:

An act to legalize the tax roll of the township of Mussey, in the county of St. Clair, for the year 1866;

Also,

An act to legalize the tax roll of the township of Rockland, Ontonagon county, for the year 1866;

Also,

Joint resolution to protect the fisheries of this State, in the Upper Peninsula, to the people of this State and the United States;

Also,

Joint resolution asking an appropriation of lands by Congress to endow female colleges in the several States.

HENRY H. CRAPO.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,  
Lansing, February 14, 1867. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution:

House joint resolution No. 8, entitled

Joint resolution asking of Congress a grant of land to this State, to aid in deepening the channel of navigation between Lake Superior and Eagle Harbor, in the county of Keweenaw;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, Feb. 14, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 52, entitled

A bill to amend section 14, of act No. 60, of the session laws of 1863, being an act to enlarge the corporate limits, and to incorporate the village of Corunna under a special charter,

And to inform the House that the Senate has amended the same as follows:

1. By striking out of recited section 14, all after the word "preserved," in line 36, to and including the word "sidewalks," in line 38;

2. By striking out the word "and," at the end of line 91, in recited section 14, and also all of lines 92, 93 and 94 of said section, and inserting, in lieu thereof, the following: "in the same manner as the township treasurers are authorized by law to collect taxes;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

Mr. S. T. Parsons moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Aitken,  
Alexander,  
Ball,  
Barber,

Mr. Holt,  
Hopkins,  
Howard,  
Huckins,

Mr. Robinson,  
Rockwood,  
Schars,  
Sexton,

Beall,	Jewell,	Shepherd,
Bonine,	J. H. Jones,	Slayton,
Brownell,	Kedzie,	C. C. Smith,
A S. Brown,	Locke,	L. Smith,
W. G. Brown,	Lockwood,	R. B. Smith,
Canniff,	Lovell,	E. Spalding,
Camburn,	Mallet,	P. S. Spaulding,
Chauvin,	Mason,	Spence,
Corey,	McOutcheon,	Stannard,
Crossman,	McKernan,	Stevens,
Dusseau,	Mead,	Sweezey,
Eck,	Mickley,	Swift,
Emerson,	Miles,	Taylor,
Emery,	Murray,	Tompkins,
Fellows,	Newcombe,	Van Vleet,
Fenton,	Newell,	Walker,
Funston,	Packard,	Warner,
Gallup,	Parker,	White,
Glavin,	F. Parsons,	Wilcox,
Greenfield,	S. T. Parsons,	Willard,
Grier,	Parmelee,	Wilson,
Haven,	Pearl,	Wright,
Healy,	Randall,	Speaker <i>pro tem.</i> ,
Hill,		83

NAYS.

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The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,  
Lansing, February 14, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to provide for the payment of an indebtedness incurred by certain of the citizens of the township of Madison, in the county of Lenawee, to pay bounties to volunteers, to aid in suppression of the rebellion;

2. House manuscript bill, entitled

A bill to authorize the qualified electors of the township of Hamtramck, in the county of Wayne, and State of Michigan,



to raise a sum of money to pay for money advanced and borrowed to fill a quota and pay bounties to volunteers, to aid in suppressing the rebellion;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER, }  
Lansing, Feb. 14, 1867. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 99, entitled

A bill to authorize the several townships and cities of St. Clair, Macomb, Oakland, Livingston, Washtenaw, Ingham, Jackson, Calhoun, Branch, St. Joseph, Cass and Berrien counties, to pledge their credit in the construction of a railroad, from some point on or near the St. Clair river, to the Indiana State line, on the route deemed most eligible, to Chicago, in the State of Illinois;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

THOS. H. GLENN,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. White moved to discharge the committee of the whole from the further consideration of House bill No. 122, entitled

A bill to authorize the trustees of the First Methodist Episcopal Society of Ann Arbor to pay any and secure the indebtedness of said society, by selling and mortgaging certain real estate.

On motion of Mr. White,

The bill was placed on the order of third reading.

Mr. Ball offered a resolution, which the Speaker *pro tem.* ruled out of order, on account of containing language reflecting upon the action of the Senate.

Mr. Grier appealed from the decision of the chair.

The question being, shall the decision of the chair stand as the judgment of the House,

The decision of the chair was sustained.

Mr. Randall offered the following:

*Resolved*, That when this House adjourn, it adjourn to meet at half-past nine o'clock A. M., until further ordered;

Which was not adopted.

Mr. Kedzie, by unanimous consent, presented the following communication:

*To the Hon. Chairman of the Committee on the Reform School from the House of Representatives:*

SIR:—The undersigned, Board of Control of the State Reform School, take the liberty of calling the attention of the Legislature, through yourself, to a serious and growing evil, affecting the welfare of the State, and particularly the interests of this Institution, and for which a remedy should at once be provided.

We allude to a practice of certain humane organizations of Eastern cities, and particularly of the city of New York, by which agencies are employed to gather the idle, vicious and vagrant children and youth, found therein, (such as are likely to find their way to the Alms-houses and Houses of Refuge, supported by their own charity,) and send them West for

homes. Many of these are left in this State, with whomsoever they find willing to receive them for any given period of time.

The result is, that many poor, sickly, vicious and demoralized children and youth, are turned adrift in this State, and for vagrancy or petty crimes, soon find their way to this Institution, quite a number of whom, have been sent here during the last two years. A portion of these, from chronic disease, are for years, (and more probably for life,) only fit subjects for the Alms-house or Hospitals.

Believing it to be no part of the policy of this State, to assume the care of the chronic paupers of other States, we present the foregoing statement, believing it not only just but proper, that some provision be made to stop this wholesale pauper importation.

It may not be proper for us to say what legislation should be had; nevertheless we would suggest the enactment of a law, making it a penal offense for any person, either as principal or agent, to bring into this State, with a view of leaving him or her, any pauper or criminal, unless they shall first give security in some way, that they shall not become subjects of charity or public care, on account of existing diseases or vices.

We have now in this Institution a boy from New York, (his father residing somewhere in New Jersey,) afflicted with a consumptive disease beyond hope of cure, which disease was upon him when brought to this Institution.

Believing this general fact to be a matter of too serious a character, to be allowed to pass unnoticed, we desire through yourself, to present the same to the consideration of the honorable body by whom you were charged to examine into the wants and interests of the Institution in question.

All of which is respectfully submitted.

By order of the Board of Control.

C. TRACY, *Clerk.*

Lansing Feb. 12, 1867,

On motion of Mr. Kedzie,

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The communication was referred to the committee on State affairs.

Mr. Walker moved to discharge the committee of the whole from the further consideration of Senate bill No. 66, entitled

A bill to authorize the formation of corporations for the purpose of engaging in commerce or navigation;

Which motion prevailed.

On motion of Mr. Walker,

The bill was placed on the order of third reading.

Mr. Emerson gave notice that on some future day he would ask leave to introduce

Joint resolution requiring certain swamp land road money to be refunded to the counties of Ontonagon and Houghton.

Mr. Van Vleet moved to take from the table, House manuscript bill, entitled

A bill to repeal act No. 273, of session laws of 1865, relative to the payment of taxes to township treasurers;

Which motion prevailed.

On motion of Mr. Van Vleet,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Kedzie, unanimous consent being given, introduced

A bill to provide for re-assessing, assessing and collecting taxes to pay for certain improvements upon Michigan avenue and Cedar street, in the city of Lansing, and also to pay the interest which has accrued or may accrue on the sums expended in making such improvements.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hill, unanimous consent being given, introduced

A bill to authorize the township board of the township of Eagle Harbor, in Keweenaw county, to raise money by tax or otherwise, to deepen and improve the channel at the entrance of Eagle harbor.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 37, of the revised statutes, being chapter 38, of the compiled laws, in regard to support of the poor, by adding a section thereto.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. White, unanimous consent being given, introduced

A bill to provide for the inspection of illuminating oils, manufactured from petroleum or coal oil.

The bill was read a first and second time by its title, and referred to the committee on manufactures.

Mr. Dusseau, unanimous consent being given, introduced

A bill to legalize the tax-roll of the township of Frenchtown, Monroe county, for the year 1866.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Hill, unanimous consent being given, introduced

A bill to authorize the county of Keweenaw to aid in the construction of the mineral range State road, in said county.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to authorize the several townships in the counties of Shiawassee and Genesee, to pledge their credit, and the counties of Shiawassee and Genesee to raise by tax or borrow money, to aid in the construction of a railroad from the city of Owosso, Shiawassee county, to the city of Flint, in Genesee county.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend sections 2 and 3, of an act entitled "an act to provide for the incorporation of masonic lodges," approved March 10, 1865.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. S. T. Parsons, previous notice having been given, and leave being granted, introduced

A bill to authorize the county of Shiawassee to build, construct, and repair all bridges across the Shiawassee river, in the county of Shiawassee, at the expense of the county at large.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Gallup, unanimous consent being given, introduced

A bill to prescribe the powers of boards of supervisors in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Walker, unanimous consent being given, introduced

A bill in regard to the registration of voters.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Howard, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "an act to incorporate the village of Three Rivers," approved February 13th, 1855.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Woodman, unanimous consent being given, introduced

A bill to change the name of the town of Lafayette, in the county of Van Buren, to that of Paw Paw.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Woodman, unanimous consent being given, introduced

A bill to incorporate the village of Paw Paw.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Swezey, unanimous consent being given, introduced

A bill to authorize the township of Thornapple, in the county

of Barry, to vote aid and issue bonds to aid in the construction of the Grand River Valley railroad.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. L. Smith, unanimous consent being given, and leave being granted, introduced

A bill to authorize any of the townships and incorporated villages, in the counties of Gratiot and Clinton, to vote a tax or pledge their credit, to aid in the construction of a plank road from St. Louis or Alma, to the village of St. Johns, in Clinton county.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Healy, unanimous consent being given, and leave being granted, introduced

A bill to organize the township of Cliff.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Healy, unanimous consent being given, introduced

A bill to organize the county of Schoolcraft.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. F. Parsons, previous notice having been given, and leave being granted, introduced

A bill to authorize the correction of the plat of the village of Burr Oak.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Rockwood, previous notice having been given, and leave being granted, introduced

A bill to change the platted name of the village of Dever, in the townships of Mount Morris and Genesee, to that of Mount Morris.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Grier, unanimous consent being given, introduced

A bill to detach certain territory from the county of Saginaw, and attach the same to the county of Bay.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Grier, unanimous consent being given, introduced

A bill to organize the township of Lincoln, in Bay county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Grier, unanimous consent being given, introduced

A bill to amend section No. 3, of an act entitled "an act to provide for the drainage and reclamation of swamp lands, by means of a road, to be known as the Cass River and Bay City State road," approved March 21, 1865.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Boies, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 273, of the session laws of 1865, it being an act entitled "an act to amend section 821, it being section 39, of chapter 17, compiled laws, relative to the payment of taxes to township treasurers."

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Emery, unanimous consent being given, introduced

A bill granting the right of way to lumbermen for the transportation of logs and supplies over unimproved or uninclosed lands.

Mr. Pearl gave notice that on some future day he would ask leave to introduce

A bill to amend section 3, of act No. 70, of session laws of 1865.

#### THIRD READING OF BILLS AND RESOLUTIONS.

House bill No. 128, entitled

A bill relative to the Supreme court,

Being under consideration,

On motion of Mr. Sweezey,



The bill was laid on the table.

Senate bill No. 21, entitled

A bill authorizing the State Treasurer to surrender the bonds deposited in his office as security for the circulating notes of certain banks,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Jewell,	Mr. Sexton,
Ball,	J. H. Jones,	Shepherd,
Beall,	Kedzie,	Shetterly,
Boies,	Kingsbury,	Slayton,
Bonine,	Locke,	C. C. Smith,
Brownell,	Lockwood,	L. Smith,
A. S. Brown,	Lovell,	R. B. Smith,
Canniff,	Mallet,	E. Spalding,
Chauvin,	Mason,	P. S. Spaulding,
Corey,	McCutcheon,	Spence,
Dunlap,	McKernan,	Stannard,
Dusseau,	Mead,	Stevens,
Eck,	Mickley,	Swezey,
Fellows,	Miles,	Taylor,
Fenton,	Murray,	Tompkins,
Gallup,	Newcombe,	Upton,
Glavin,	Newell,	Walker,
Greenfield,	Packard,	Warner,
Grier,	Parker,	White,
Healy,	F. Parsons,	Wilcox,
Hill,	Pearl,	Willard,
Holt,	Randall,	Wilson,
Hopkins,	Robinson,	Wright,
Howard,	Rockwood,	Speaker <i>pro tem.</i> ,
Huckins,		73

NAYS.

Mr. Camburn,

1

Title agreed to.

Senate bill No. 12, entitled

A bill to provide for the purchase, preparation and care of the Anteitam National Cemetery, at Sharpsburgh, in the State of Maryland,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,  
Ball,  
Barber,  
Beall,  
Boies,  
Bonine,  
Brownell,  
A. S. Brown,  
W. G. Brown,  
Canniff,  
Camburn,  
Chauvin,  
Corey,  
Dunlap,  
Dussean,  
Eck,  
Emerson,  
Emery,  
Fellows,  
Fenton,  
Gallup,  
Glavin,  
Greenfield,  
Grier,  
Haven,  
Healy,  
Hill,

Mr. Holt,  
Hopkins,  
Howard,  
Huckins,  
Jenness,  
Jewell,  
J. H. Jones,  
Kedzie,  
Kingsbury,  
Locke,  
Lockwood,  
Lovell,  
Mallet,  
Mason,  
McCutcheon,  
McKernan,  
Mead,  
Mickley,  
Miles,  
Murray,  
Newell,  
Packard,  
Parker,  
F. Parsons,  
S. T. Parsons,  
Parmelee,  
Pearl,

Mr. Randall,  
Robinson,  
Rockwood,  
Sexton,  
Shepherd,  
Shetterly,  
Slayton,  
C. C. Smith,  
L. Smith,  
R. B. Smith,  
P. S. Spaulding,  
Stannard,  
Stevens,  
Sweezey,  
Swift,  
Taylor,  
Tompkins,  
Upton,  
Van Vleet,  
Walker,  
Warner,  
White,  
Wilcox,  
Willard,  
Wilson,  
Wright,  
Speaker *pro tem*,

81

0

## NAYS.

Mr. Brownell moved that Mr. Dussean be excused from voting;

Which motion did not prevail.

Mr. Dussean then voted as recorded above.

The title of the bill was agreed to.

On motion of Mr. Kedzie,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 84, entitled

A bill to legalize the tax roll of the township of Caledonia, in Kent county, for A. D. 1866,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Howard,	Mr. Robinson,
Alexander,	Huckins,	Rockwood,
Ball,	Jenness,	Sexton,
Barber,	Jewell,	Shepherd,
Beall,	J. H. Jones,	Shetterly,
Boies,	Kedzie,	Slayton,
Bonine,	Kingeby,	L. Smith,
Brownell,	Locke,	R. B. Smith,
A. S. Brown,	Lockwood,	E. Spalding,
W. G. Brown,	Lovell,	P. S. Spaulding,
Canniff,	Mallet,	Stannard,
Camburn,	Mason,	Stevens,
Chauvin,	McCutcheon,	Sweezy,
Corey,	McKernan,	Swift,
Crossman,	Mead,	Taylor,
Dusseau,	Mickley,	Tompkins,
Eck,	Miles,	Upton,
Emerson,	Murray,	Van Fleet,
Fellows,	Newcombe,	Walker,
Fenton,	Newell,	Warner,
Glavin,	Packard,	White,
Greenfield,	Parker,	Wilcox,
Haven,	F. Parsons,	Willard,
Healy,	S. T. Parsons,	Wilson,
Hill,	Parmelee,	Wright,
Holt,	Pearl,	Speaker <i>pro tem.</i> ,
Hopkins,	Randall,	80
	NAYS.	0

Title agreed to.

On motion of Mr. Randall,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 94, entitled

A bill to amend section 876, of chapter 17, of the compiled laws, so as to provide for furnishing periodically to the county treasurers, the numbers of tax sale certificates redeemed at the State treasury, for public reference,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Robinson,
Alexander,	Howard,	Rockwood,

Ball,	Huckins,	Sexton,
Barber,	Jenness,	Shepherd,
Beall,	Jewell,	Shetterly,
Boies,	J. H. Jones,	Slayton,
Bonine,	Kedzie,	C. C. Smith,
Brownell,	Kingsbury,	L. Smith,
A. S. Brown,	Locke,	R. B. Smith,
W. G. Brown,	Lockwood,	E. Spalding,
Canniff,	Lovell,	P. S. Spaulding,
Camburn,	Mallet,	Stannard,
Chauvin,	Mason,	Stevens,
Corey,	McCutcheon,	Swezey,
Crossman,	McKernan,	Swift,
Dunlap,	Mead,	Taylor,
Dusseau,	Mickley,	Tompkins,
Eck,	Murray,	Upton,
Emerson,	Newcombe,	Van Vicet,
Fellows,	Newell,	Walker,
Fenton,	Packard,	Warner,
Glavin,	Parker,	White,
Greenfield,	F. Parsons,	Wilcox,
Grier,	S. T. Parsons,	Willard,
Haven,	Parmelee,	Wilson,
Healy,	Pearl,	Wright,
Hill,	Randall,	Speaker <i>pro tem.</i>
Holt,		82

NAYS.

0

Title agreed to.

House bill No. 90, entitled

A bill to amend section 4042, of chapter 119, of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aitken,	Mr. Hopkins,	Mr. Robinson,
Alexander,	Huckins,	Rockwood,
Ball,	Jenness,	Sexton,
Barber,	Jewell,	Shepherd,
Beall,	J. H. Jones,	Shetterly,
Boies,	Kedzie,	Slayton,
Bonine,	Kingsbury,	C. C. Smith,
Brownell,	Locke,	L. Smith,
A. S. Brown,	Lockwood,	R. B. Smith,
W. G. Brown,	Lovell,	E. Spalding,

Canniff,	Mallet,	P. S. Spaulding,
Camburn,	Mason,	Stannard,
Corey,	McCutcheon,	Stevens,
Cressman,	McKernan,	Sweezey,
Dunlap,	Mead,	Swift,
Dusseau,	Mickley,	Taylor,
Eck,	Murray,	Tompkins,
Emerson,	Newcombe,	Upton,
Fellows,	Newell,	Van Vleet,
Fenton,	Packard,	Walker,
Glavin,	Parker,	Warner,
Greenfield,	F. Parsons,	White,
Grier,	S. T. Parsons,	Wilcox,
Healy,	Parmelee,	Willard,
Hill,	Pearl,	Speaker <i>pro tem.</i> ,
Holt,	Randall,	77

NAYS.

Mr. Chauvin, Mr. Wilson, Mr. Wright, 3

Mr. Slayton moved to amend the title of the bill, so as to read as follows:

“A bill to amend section 72, of chapter 119, being section 4042 of the compiled laws;”

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Warner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 85, entitled

A bill to amend sections 4743, 4745, 4761, 4763, 4764, 4773, 4775, 4776, of the compiled laws, relating to proceedings against debtors by attachment,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Grier asked and obtained the unanimous consent of the House to amend the bill, by striking out all after the seventh line of recited section 4745, to and including the word “contained,” in line 9, and inserting the word “plaintiff” in lieu thereof.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Aitken,	Mr. Holt,	Mr. Schars,
Alexander,	Hopkins,	Sexton,
Barber,	Huckins,	Shepherd,
Beall,	Jenness,	Shetterly,
Boies,	Jewell,	Slayton,
Bonine,	J. H. Jones,	O. C. Smith,
A. S. Brown,	Lockwood,	L. Smith,
W. G. Brown,	Mallet,	P. S. Spaulding,
Canniff,	Mason,	Stannard,
Camburn,	McCutcheon,	Swezey,
Chauvin,	McKernan,	Swift,
Corey,	Mead,	Tompkins,
Crossman,	Murray,	Upton,
Eck,	Newell,	Van Vleet,
Fellows,	Parker,	Walker,
Fenton,	F. Parsons,	Warner,
Gallup,	S. T. Parsons,	White,
Glavin,	Parmelee,	Wilcox,
Greenfield,	Pearl,	Willard,
Grier,	Robinson,	Wilson,
Healy,		

61

## NAYS.

Mr. Ball,	Mr. Hill,	Mr. Packard,
Brownell,	Howard,	Randall,
Dunlap,	Kedzie,	E. Spalding,
Dusseau,	Kingsbury,	Stevens,
Emerson,	Locke,	Taylor,
Emery,	Lovell,	Wright,
Haven,	Mickley,	Speaker <i>pro tem</i> ,

21

On motion of Mr. Camburn,

Mr. Newcombe was excused from voting.

The title of the bill was agreed to.

Mr. Camburn moved that the House take a recess until two o'clock this afternoon;

Pending which motion,

On motion of Mr. Hopkins,

The House adjourned until to-morrow morning, at 10 o'clock

*Lansing, Saturday, February 16, 1867.*

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. McIntire.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Alexander, Grier, Lovell and F. Parsons.

Mr. Wilson asked and obtained leave of absence for Mr. Alexander, until Monday next.

Mr. Fellows asked and obtained leave of absence for Mr. Lovell, until Tuesday next.

Mr. Howard asked and obtained leave of absence of Mr. F. Parsons, for an indefinite time.

Mr. Parmelee asked and obtained leave of absence for himself, until Monday.

Mr. Willard asked and obtained leave of absence for himself, until next Tuesday.

Mr. J. H. Jones asked and obtained leave of absence for the committee on the State prison, until next Wednesday.

#### PRESENTATION OF PETITIONS.

By Mr. Corey: remonstrance of J. C. Rouse, A. G. Mount and 11 others, citizens of Pittsfield and Lodi, Washtenaw county, against the enlargement of fractional union school district of Saline, Washtenaw county, by the dismemberment of the surrounding districts.

Referred to the committee on education.

By Mr. Hawley: preamble and resolutions of the Detroit Board of Trade, in regard to the cental system.

On motion of Mr. Boies,

The preamble and resolutions were ordered printed in the journal, and referred to the committee on State affairs.

The following are the preamble and resolutions:

BOARD OF TRADE ROOMS, }  
Detroit, Mich., February 11, 1867. }

*To the Honorable the House of Representatives of the Legislature of Michigan:*

At a regular monthly meeting of this Board, held on the 5th instant, the following preamble and resolutions were unanimously adopted:

*Whereas*, The Boards of Trade through the country, have with great unanimity adopted the cental system, and have determined to use the cental system instead of the bushel, in the transfer of grain, seeds and other products, on and after the first day of March ensuing;

*And whereas*, This simple, labor-saving standard, being of world-wide application, and calculated to put at rest the unavoidable difficulties that arise in the use of the bushel measure, deserves our cordial support, and should be simultaneously adopted by merchants and dealers throughout the State; therefore, be it

*Resolved*, That the transactions of this Board, on and after the above date, shall be by the new standard, and that we hereby recommend the trade in all parts of the State to unite with us in this important movement; and further, we recommend that seeds, dried fruits, and all similar articles, be computed on and after that date, by the cental; that 300 pounds constitute a barrel of salt from that date, and that from the first day of August next, 200 pounds shall constitute a barrel of flour.

*Resolved*, that a memorial be prepared, setting forth these views, bearing the signature of the President, and the seal of the Board, and that the same be forwarded at once to our Legislature, asking that a law be passed legalizing the new standard throughout the State, in purchase and sale, as above stated.

In accordance with the above preamble and resolutions, and in behalf of the business interests of the State, I respectfully pray your honorable body to pass an enactment legalizing the cental standard, together with the proposed changes in the standards of flour and salt.

[L. S.]

GEORGE F. BAGLEY, *President*